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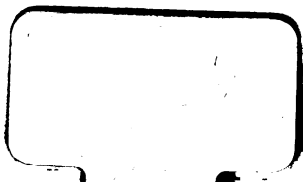
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JOHN BATMAN,
THE
FOUNDER OF VICTORIA
BY
JAMES BONWICK, F.R.G.S.

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^{O.C.}
JOHN BATMAN,

THE

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FOUNDER OF VICTORIA.

BY

^{O.C.}
JAMES BONWICK, F.R.G.S.

AUTHOR OF "DISCOVERY AND SETTLEMENT OF PORT PHILLIP,"
ETC. ETC.

PROFITS OF THE WORK TO BE DEVOTED TO THE BENEFIT
OF JOHN BATMAN'S GRANDSON.

MELBOURNE:
PUBLISHED BY SAMUEL MULLEN,

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1867.

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ASTOR, LENOX AND
TILDEN FOUNDATIONS

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PREFACE.

THE birth of great nations is always regarded with interest. The Roman historians, unable to penetrate the gloom of their past and unwilling to claim a contemptible origin, boldly allied themselves with the celestial Olympus, and made their Romulus the son of a god. A Niebuhr has shattered the fairy fabric of those early days, and robbed our youth of the charming tale of wolf-nursed heroes. Yet who that trod the palaces of the Cæsars, and wondered at the glory of old Rome, would not throw a glance backward, and wish to know the source of so much majesty! And here, in this Melbourne of to-day, with its one hundred and thirty thousand inhabitants, and its noble Inter-colonial Exhibition, as we look upon a sixty-feet pyramid of Victorian gold, can we be otherwise than deeply interested in the origin of our colony!

It is with a view of settling this important question, that the present work is submitted to the Australian public. And a very trying task has it been to write such early history. I arrived in the colonies five years only after the first great exodus from Tasmania to Hobson's Bay, and two years after a settled Government of the Province here. I was per-

Wynne 227 Mar '27

sonally acquainted with several of the leaders of the Port Phillip movement. I have made it my business for many years to converse with primitive settlers, and search through old records, to be correctly informed of the colonial past; and yet, with all my care and research, I have failed to satisfy my mind upon certain historical points. If such have been my difficulties to arrive at the truth of events so near our own day, what dependence can be placed in the histories of remoter times, written—it may be—by prejudiced partizans or careless collectors of facts? As a curious illustration of the difficulty of reconciling evidence in the formation of history, it may be mentioned that Wellington's mother said he was born at Dangan Castle, Westmeath, on the first of May, while the nurse affirms he was born at Dublin, on the sixth of March!

To several gentlemen who have kindly contributed to my literary stores I must confess myself deeply indebted; but especially to the Rev. R. K. Ewing, of Launceston, to the Hon. J. H. Wedge, and to W. J. Sams, Esq.

It is now twenty-one years since the first edition of my Australian Geography appeared; and I hope before long to bring out, for the Australian Youth, my story of the Last of the Tasmanians, upon which I have been occupied many years. To my fellow-colonists I am grateful for encouragement.

JAMES BONWICK.

ST. KILDA, VICTORIA,
January 1, 1867.

JOHN BATMAN,

The Founder of Victoria.

LIFE OF MR. JOHN BATMAN.

TWENTY-FIVE years ago I was wandering about the sources of the River Jordan at Jericho, beyond Jerusalem, in Van Diemen's Land, as it was then called. Stooping to drink at the prosaic, hoof-trodden springs, I heard my guide say, "Ah! it was bloody enough once. I shot a lot of crows about here. I caught them camping near, and dropped them down at night." Understanding that the *crows* were blacks, and expressing my shocked feelings, the rough farmer condescended to explain. After a sort of apology he added, "But John Batman didn't knock them down like that, for he and they understood one another." "What Batman do you mean?" was my inquiry. "The fellow that made Port Phillip, to be sure," answered he. "O," said I, "that is the new colony across the Straits." "Just so," was his reply; "and he might have saved himself the trouble, for they are all smashing to pieces, and coming back here again."

This was my first personal introduction to the name of John Batman, and sad enough were the prospects of the little colony at that time. Numbers were returning to Van Diemen's Land.

A year passed, when a holiday trip to Avoca—the charming meeting-place of waters—brought me under the shadow of the greenstone pile of Ben Lomond, near which, by me, stood the house and farm of John Batman's home at Kingston. Again, and on the adjoining estate to his own, did I hear tales of this remarkable man.

And what have I heard? They told me stories of bloodthirsty natives brought in by the bold hunter, and retained by his spirit of kindness. They spoke of wondrous feats of horseback—bush tracking—endurance of hunger, thirst, and fatigue—and a successful capture of dreadful armed outlaws. I learned that this man of iron nerve, of powerful frame, and daring courage, had the manners of a gentleman, the simplicity of a child, the tenderness of a woman.

Need it be wondered, then, that I thought kindly of the man; that I felt jealous for his honour when I found it afterwards so grossly impugned. I am not the apologist for his frailties, though such were all but universal then in the colony. Blemishes of the same sort have, unfortunately, been attached to the fair fame of many whom the world justly regard as heroes and benefactors. John Batman, in spite of his love of drink, fostered and encouraged by the house kept by the man who can now so freely speak of his victim, and in spite of his unhappy devotion to the other sex, was what his fellow-citizens esteemed honest and honourable. He was heroic in his nature, seeking enterprises of danger, and engaging in noble labours. There is no little merit in him who opens up a wilderness to his race, and leads thousands to a happy home in a strange land.

Not only have Governors spoken highly of the man, but philanthropists, like Mr. Backhouse, have hailed his efforts. His interest in the aboriginal inhabitants will alone entitle him to gratitude. The Rev. J. H. West, in his History, speaks thus of him—"To Mr. Batman belongs the praise of mingling humanity with severity, of perceiving human affections in the creatures he was commissioned to resist. He certainly began in the midst of conflict and bloodshed to try the softer influence of conciliation and charity—being one of the few who entertained a strong confidence in the power of kindness." Mr. Melville, in his Australian history, being well acquainted with the person, speaks of him that he "proceeded not with the sword, but with the olive branch." This is not the man to be sneered at for his treaty with the Port Phillip Blacks, whom he believed to belong to the brotherhood of nations, and

whom he sought to treat with the justice and truth to which their position entitled them.

As to his veracity, it was unquestioned by those who knew him best. His old friend, the captain, calls him "a kind-hearted, heroic, and truthful man." The excellent Mr. George Washington Walker, the Quaker missionary, often spoke to me of his regard for John Batman. Mr. Henry Wedge, one of our esteemed fellow-colonists, writes—"He was always considered a gentleman and man of honour." Mr. Henry Jennings, our well-known Melbourne solicitor, can add—"I do not think he would write falsehoods." The *Cornwall Chronicle* utters the same hearty feeling—"We are certain that our brethren of Victoria will only be too glad to do justice to the memory of a man whose name will always be cherished by the early settlers of this colony." Honest old Captain Robson asserts that "he was a brave, athletic, daring, resolute man, fearing nothing—neither wind nor weather. His perseverance was beyond anything I ever saw." But Mr. William Robertson, of Colac, one of our best known and honoured old colonists, and one of the real founders of the colony, writes thus to me in full about his former friend:—

"I am glad to have been afforded an opportunity of adding my testimony to that of your other correspondents in favour of John Batman; and am pleased to think that by doing so I may assist somewhat in rescuing his name and memory from undeserved obloquy. My acquaintance with Mr. John Batman dates many years before the expedition to Victoria was contemplated; and from that time up to the day of his death I had so many opportunities of forming a judgment of what kind of a man he was, that I have not the slightest hesitation in assuring you that his character for veracity and probity cannot, with regard to the truth, be in the slightest degree impugned. From my own observation, as well as from what I have heard from those who were even more intimately connected with him than I was, my opinion is that his narrative may be taken as a strictly truthful report of what he himself did, and of all that occurred under his immediate notice."

Mr. John Batman, unlike Mr. Fawcner, was a colonial youth. He was born in 1800, at Parramatta, in New South Wales. His father was one of the famous band of missionaries first sent to the South Sea isles, but forced to leave Tahiti through a desolating war. Mr. William Batman, like several others, fled to the nearest British settlement, that of Sydney, in 1797; that is, nine years after its foundation. He betook himself to some business engagement, and continued to remain in the colony till his death. In a Sydney magazine of February, 1834, there is this notice of his decease:—"29th, at Parramatta, Mr. William Batman, aged sixty-one years. He resided in the colony thirty-seven years, was highly respected, and his loss will be long felt by a numerous circle of friends and acquaintances." Mrs. Batman, sen., outlived her son a few months, dying in 1839. He was much attached to his mother.

About 1820 a love adventure led to his leaving home and settling in Van Diemen's Land. He early directed his attention to farming on the northern side of the island. But powerful in frame, well proportioned, of a goodly stature, robust in health, full of exuberant spirits, with a love of adventure, he was not the person for a quiet routine of duty, or the steady pursuit of a business. He was passionately fond of hunting, and of exploring new tracks in the dense forests of his island home. All who knew him assert that he was the finest bushman of their acquaintance; no danger appalled him, no difficulties turned him. It is not surprising then that, as he always sided with law and order in the community, he should take a part with other colonists in hunting down the bushrangers of the period. For such services he received a grant of land.

But in a more important work he was next engaged. The Tasmanian blacks and the colonists came into open and active warfare. Fearful atrocities marked the conduct of both combatants. Mr. Batman, in 1829, was put in command of a party. The object of the Government was to capture, not destroy; but many took that opportunity of glutting private revenge, or the instincts of a savage nature, in brutal attacks upon defenceless and harmless aborigines. Unusual success attended the efforts of our founder, and ample rewards followed the

performance of such dangerous work. The historian of Tasmania has this noble record:—"Among those distinguished for their knowledge of the bush, compassion for the natives, and skill in pursuing them, Mr. Batman is the subject of frequent and approved mention."

His domestic relations are not without interest. A romantic attachment for a beautiful girl, under circumstances appealing to his pity and gallantry, and enlisting the warm sympathy of the Governor of the colony, ended in a marriage. The fruits of this union appeared in one son and several daughters. Whatever the early and later stories of the pair, it is pleasing to record the fact that their home, under Ben Lomond, at the fine farm of Kingston, was a very happy one. From three of the daughters I have learned that the children were well educated and trained, taught the Scriptures, and even religiously cared for. Several old settlers have spoken to me most kindly of that part of their lives. The Governor, himself a man of family and of Christian character, liked to call in at the homestead, and warmly praised the domestic managements. An old friend, who had many opportunities of seeing the Batman family, assured me that it always gave him great pleasure to see the admirable way in which the children were trained, and the order and comfort of the whole establishment. However dense and dark the cloud that subsequently overshadowed them in this Port Phillip, and covers history with gloom, it is pleasing to state their Tasmanian career.

The story of his connection with this colony will be found elsewhere. It was natural that so active a spirit, and so intelligent and adventurous a man, should think of the land across the straits lying neglected and forlorn. It is now forty years ago since our founder's attention was turned in a practical shape towards the inviting shore. He found an associate in Mr. Gellibrand, once Attorney-General of Van Diemen's Land, a kindred genius. They made official application for a settlement there, but failed. In 1835, however, the worthy pair saw, as they fondly believed, the realisation of their dreams of rich land and sheep pastures.

Established in Melbourne with abundant means, Government favour, and an influential connection,

Mr. Batman for a time was the ruling spirit of the little settlement. The *Sydney Gazette* of April, 1836, calls him "the *locum tenens* of the Lieutenant-Governor." But the old evils of a rude civilisation followed his prosperity, ruined his health, disordered his family, brought him to an early grave in 1839, and scattered as well as blasted his once beautiful and happy home. No one bears his name. His two grandsons with us, sons of Mr. William Weire, of Geelong, by Elizabeth, the fourth daughter, needing the active generosity, as well as sympathy of colonists, are all remaining in Victoria of the race of John Batman. No son was left to his brother Henry, though I know one of his daughters. A sad shade has fallen on all. While Mr. Fawcner never had a child to inherit his name, his rival has left no one to take the honoured name of Batman.

LIFE OF MR. FAWKNER.

ALTHOUGH this honorable gentleman has at various times given us scraps of his interesting autobiography, all colonists would appreciate his reminiscences of other periods and places as well as those with which we have at present to be contented. He lived through the whole of the aboriginal past of Van Diemen's Land as well as of Port Phillip; and being a man of remarkable powers of observation, fearless intrepidity, restless enterprise, and public spirit, no one perhaps could give us so striking a chronicle.

To satisfy the reader, a short sketch of his career will be made—the materials being from his own remarks, and those given by the press when friendly with him; and therefore from his own dictation.

Born within the sound of Bow Bells, in 1792, and receiving the rudiments of education in London, he left England when a lad of ten years to follow his unfortunate father to this side of the world. His mother and sister were also permitted to sail with the party forming a convict settlement at Port Phillip, toward the end of 1803. Removed afterwards to Van Diemen's Land, the *Age* says—"As the Fawcners were a family together,

they lost no time in building a hut for themselves." His mother returned to Europe in two years, and the son and father lived for some years about eight miles from Hobart Town. When afterwards living near to the spot, I saw the remains of the chimney of their ancient habitation. The old man was well-known for certain harmless peculiarities, not forsaking the ancient fashions of dress, and preserving that rugged independence of manner which he has communicated to his son. When I last saw him (one of the few original Derwenters,) he seemed so hale, as if resolved to keep our Melbourne hero, J. P. Fawcner, jun., till fourscore years. Heartily do we wish, for the sake of the colony, that the son may live to the age of his father.

The little farm, a grant to the family, was no great success, and when eighteen years old the hero of our tale became a sawyer. "In the year 1814," according to the *Age* article, "he was induced, in the enthusiasm of youth, indiscreetly to furnish funds, and assist a party of seven persons to build and provide a cutter, lugger-rigged, in which they were to escape from their bondage in the island. The vessel was built, provisioned, and ready for sea, when two of the number discovered the plot to the authorities. These two persons slipped the cable from the bay in which it had been built, and ran the cutter up to Hobart Town, betraying all concerned; and Mr. Fawcner was included among the persons arrested by the Crown. This portion of Mr. Fawcner's life, as a matter of course, has been the subject of much misrepresentations. It has been tortured into the gravest charges against him. The result of this act of indiscretion was that he left for Sydney, and did not return till March, 1817."

Not wishing to feed the appetites of scandal-mongers, nor gauge the depths of a social state so far removed from our own, I have contented myself with the statement of that part of his history from what is virtually Mr. Fawcner's own narrative. It would not have been right to have omitted a reference to it, nor proper to have plunged into vague rumours of slander, because the individual had feasted himself and his auditors upon such a dainty dish, at the expense of the dead. Although a public personage, with rancorous foes, the temptation

to exhibit his private weaknesses is to be resisted as unworthy of the historian, and contemptible in manhood. For such reasons we hasten forward to his Launceston career. In 1826 he opened the Cornwall Hotel in that town, and conducted it with ability and success till 1836. In 1829 he originated the *Launceston Advertiser*, and, although having an editor, wrote often in its pages himself. This he disposed of in two years.

His Port Phillip career is the one in which we are most interested, and about which there is less occasion for gloss or silence. Here he stands forth prominently a public man, and challenges the public criticism. And in truth, whatever prejudices may be entertained against him personally, his worst opponents concede that his attacks have been as open as they were bitter. He allowed them no quarter, and so exposed himself to their unrelenting return. But it will be at the same time admitted—and this is his *crowning glory*—that his contests, however personal and envenomed, were not conducted for his own pecuniary profit, and that *he never served his country that he might be served*.

Rightly contending with him, as I do, upon his language in reference to the foundation of this colony, I am as ready as other old colonists to acknowledge the important and useful part he has played in the politics of Port Phillip. He has ever been the advocate of civil and religious rights of freedom. He has ever been the bold defier of oppression and the stern denouncer of official wrong. He it was who dared the breach to crush the ancient foe of colonial justice and honour—the venal Major St. John. Nothing, perhaps, but his very vehemence of onset, his very persistent, hang-dog bite, his very inaccessibility to soft appeals, could have thrown down that monstrous evil of our infant days. And this is but one of many such good deeds. His labours to plant the people upon the public lands, entitle him to gratitude; though his determined opposition to the introduction of convicts into the colony exposed him to some raillery and scorn.

This is not the place to refer to his efforts to establish the Press among our early colonists. Full particulars may be had in my “Discovery and Settlement of Port

Phillip." Commencing with a manuscript newspaper, he succeeded in raising the *Port Phillip Patriot* in 1839, and he has lived to see the developed *Argus*, the prince of the southern Press. If the first newspaper writer and the first publican, he may be called one of the first farmers. At the sales of 1839 he bought a section of 780 acres, seven miles from town, which he named after himself, Pascoe-vaile. In 1843, like others, he fell under the burden of commercial care. In 1845 he experienced a similar misfortune; though, according to the *Age*, "as soon as his certificate was issued by the Insolvent Court, he commenced business afresh." This shows the indomitable energy of the man. Pursuing gardening, wine-making, and land-selling, he, for the third time, in 1851, became, especially through the act of others, a victim to pecuniary difficulties. But the bursting forth of the gold fever gave him a fresh start, placed him in a good position, and secured him a competency for the retirement of age, whenever that period shall come.

In 1842 he gained his first honours, in being elected one of the Market Commissioners of Melbourne. The next year he entered the Town Council. At an early period he became a legislator, and has, for a number of years, been an active member of the Upper House of Parliament. However crotchety, bigoted, prejudiced, violent, and personal, he may be in the Council Chamber, he has generally been found on the side of the people, and a zealous advocate of progress. Arrived at the age of approaching seventy-five, he may some day exhibit a decline of energy, and a lack of interest in political affairs; but at present there is no evidence of his conviction of that proximate fate. The representative of the struggling past of the colony, all sections would join to do him honour, and say "Long may he reign!"

HOW MR. BATMAN THOUGHT OF SETTLING PORT PHILLIP.

IT is interesting to discover that the craven settlers who forsook Port Phillip for Van Diemen's Land were not without misgivings as to their prudence, and longing eyes and thoughts were directed across the straits to

the continent of New Holland. Although for many years after the foundation of Hobart Town, they had enough to do to maintain their footing in the island, having such severe struggles with famine, bushranging, and native aggression, yet the soft airs of the milder climate were not forgotten. It was then by the colonists and their sons that the old land became inhabited once more, and that from the place for which it had been previously deserted.

Many had thought of attempting the work; but how came Batman to be so ardent in the matter? Mr. William Robertson was one who urged promptitude of action, and Mr. Gellibrand helped to carry out the projection; but Messrs. Wedge and Sams had had long previous consultations upon it with Mr. Batman. The latter tells me that they talked much about it on an excursion up Ben Lomond. As Mr. Wedge has provided me with his reminiscences of the event so connected with our history, that extract from his letter shall be presented.

"My recollection," says the gentleman, "of the project of Batman and myself crossing the Australian continent is fresh in my mind. We became acquainted with each other in the latter part of 1824, or beginning of 1825, on the occasion of my marking his grants of land on the Ben Lomond rivulet. The subject of an exploring expedition into the interior of New Holland was then mooted, and its practicability discussed; and we seldom, if ever, met afterwards without adverting to the subject. But it was not till some little time before we accompanied Sir George Arthur to George's Bay on the east coast, in 1831, that we determined on the plan of effecting our object. Our idea was to take three or four white men (Batman's servants, on whom he could depend,) and some Sydney natives, and go by sea to the Gulf of Carpentaria, and to travel overland from thence to Sydney. Our motive for adopting this course was that the Sydney natives would not be so likely to leave us as if we commenced our journey from Sydney; the more especially as we should be in a portion of the country occupied by tribes with which they were unacquainted, and amongst whom they would be afraid to risk themselves without the

protection of white men. We mentioned our scheme to Sir George Arthur one evening in my tent, which was pitched at Falmouth, Van Diemen's Land. Sir George entered warmly into the plan, and said he would submit the proposal to the Secretary of State, and recommend that our services should be accepted. Lieut. Darling (recently Governor of Victoria) was of the party, who had previously expressed a wish to join us. He then volunteered to go with us. We naturally expected to hear the result of Sir George's communication in due course; but, after waiting about a year, either Batman or myself—I forget which—spoke to him on the subject, and to our surprise, and no little disappointment, we learnt that he had never written on the subject."

Elsewhere Mr. Wedge writes, "Mr. Batman and myself then fell back upon our original scheme, and determined to carry it out as a private enterprise. The plan Mr. Batman and myself had first arranged, founded on information we had obtained from parties who had been there, was to land on Portland Bay, and to examine the country from thence; but we were induced to abandon this idea from fresh information obtained by Mr. Batman, in reference to the country around Port Phillip."

Messrs. Batman and Wedge got this intelligence of Port Phillip and Portland Bay from the sealers, as my friend, Mr. Simeon Lord, formerly neighbour of Mr. Batman's, satisfactorily shows. These venturesome prowlers of the straits were continually wandering about the southern coast and islands of New Holland. They had settlements on several spots, providing themselves with wives after the approved classical fashion, by stealing the ladies from their husbands and brothers of the dark tribes on the mainland. These rough fellows were either runaway sailors or bolting convicts. Communicating through safe *media* with Launceston, much valuable knowledge was picked up about the opposite shore. Mr. Batman had quick ears for such news as this.

The report of Messrs. Hume and Hovell's overland trip from Sydney to the southern shores, towards the end of 1824 and beginning of 1825, gave a great impetus to Batman's ideas. Captain Hovell believed

he saw Western Port, while the better bushman, Mr. Hume, a Sydney born, regarded the "Geelong" of the blacks he met to be a part of Port Phillip Bay. But the Australian's report was less regarded than that of his official companion. When, therefore, the New South Wales Governor determined to establish a colony on the fair plains of Geelong, he sent Captain Hovell with a party of convicts to Western Port. This proved a failure; and Home orders coming out for concentration, Western Port was abandoned in December, 1826.

At this time, becoming acquainted with Mr. Gellibrand, the Hobart Town lawyer, Mr. Batman's thoughts were fixed upon the deserted field. It was resolved to apply to the New South Wales Governor for land there; and the solicitor, as the scholar of the partners, drew up the following letter:—

Launceston, January 11, 1827.

SIR,—Understanding that it is your Excellency's intention to establish a permanent settlement at Western Port, and to afford encouragement to respectable people to settle there, we beg leave most respectfully to solicit at the hands of your Excellency a grant of land at that place, proportionate to the property which we intend to embark.

We are in the possession of some flocks of sheep, highly improved, some of the Merino breed, and others of the pure South Devon, of some pure Devon cattle, imported from England, and also of a fine breed of horses.

We propose to shift from this place 1500 to 2000 sheep, 30 head of superier cows, oxen, horses, &c. &c., to the value of £4000 to £5000: the whole to be under the personal direction of Mr. Batman (who is a native of New South Wales,) who will constantly reside there for the protection of the establishment.

Under these circumstances, we are induced to hope your Excellency will be pleased to grant us a tract of land proportionate to the sum of money we propose to expend, and also to afford us every encouragement in carrying out the proposed object into effect.

We have, &c.,

(Signed) { J. T. GELLIBRAND.
 { JOHN BATMAN.

To his Excellency Lieut.-General Darling, &c. &c.

There was nothing unreasonable or objectionable in the request. The form of grant was that in common use at that period. A man arrived with money, he took that money to the Governor, declaring it to be his own, and he there and then obtained a free grant of land

subject to a trifling quit rent, according to his capital, though not more than 2560 acres. Such was the usage in New South Wales and Van Diemen's Land. We have not the reply to the letter of Messrs. Gellibrand and Batman, but there remains the record of his Excellency's minute upon it, of which this is a copy:—

Acknowledge and inform them that no determination having been come to with respect to the settlement of Western Port, it is not in my power to comply with the request.

March 17th.

(Signed) R. D.

Can we wonder, after this rejection of their prayer, that the two thought of no further reliance upon Government, but upon a treaty with the aborigines? This was an opportunity lost of settling the place without home expenditure, and yet within the bounds of the colony of New South Wales. Mr. Batman, a free man, of free descent, was desirous of laying the foundations of a free colony here in 1827. The adventurers were men of substance and of recognised respectability, anxious to fulfil the requirements of law. Land at that time was cheap enough in the old settlements; for if granted land was not estimated at above an average of a shilling or two an acre in Van Diemen's Land it would certainly be valued at considerably less in such a corner of the south as Western Port. Far better days were in store for the squatters, when, instead of a paltry grant of acres, they could have the legal run over many square miles for pastoral purposes. Their flock of 2000 would soon have outgrown the boundaries of the largest grant. Some of our shepherd kings since have possessed the grass of hundreds of thousands of acres.

Disappointed, but not despairing, the two friends waited for better times. In 1833 Mr. Hume gave a full account of his expedition in 1825. This Sydney production was read with the greatest avidity by our founder and his sympathisers. Again their hopes revived, and again did they look around for means to carry out their long-cherished scheme of settling our colony. In the year 1834, while perfecting their own plans, Mr. Henty and sons, went off to Portland Bay. It was an urgent time. The circumstances of the island were more pressing. The multitudes of prisoners of the Crown thrust upon it had greatly absorbed the public

lands. The pastures were limited, not merely because the coast line embraced but 24,000 square miles, but by the vast amount of worthless scrubs, impracticable forests, and barren mountains. The very sheep and cattle seemed to sigh for more succulent and plentiful food.

But who was to go first? And how was he to go? Moreover, were the reports really true about the good land beyond?

Difficulties of no ordinary magnitude appeared. A savage population, doubtful country, absence of market, and no protection, were before the perplexed colonists. Feeble parties might be cut off by the natives, or perish for lack of support, as some of the early American locations suffered. If only they knew that all would be well, numbers were ready to flock thither. The year 1834 thus passed in discussion amidst hopes and fears. Fathers were sighing as they looked at their stalwart sons and their own limited fields. The young men were impatiently waiting at the old and worn-out farm for something to do—for something to call forth their energies, their enthusiasm, their honest labour.

John Batman must go and see.

MR. BATMAN'S VISIT TO PORT PHILLIP.

ACTING in conjunction with a few—but as a leader, not a deputy—our founder prepared to go and see. He had but one determined course. He had given up Western Port, which was afterwards sought by his rival, and confined his efforts to the examination of Port Phillip shores on the western side.

Let us take the story from, his own journal, and reserve criticism for another opportunity.

He went on board his little craft of fifteen tons, the *Rebecca*, on Sunday, May 10, 1835, at Launceston. He was accompanied by his own servants, and the Sydney blacks, Pigeon, Crook, and company, who had been so useful to him in his first labours. Contrary winds hindered his passage out to sea from the Tamar. On Thursday he sent back Capt. Harwood to Launceston for more meat

and biscuit, for he says: "I do not like the idea of going myself again to Launceston, after taking a farewell of all my friends for some time." On Saturday the captain returned, bringing provisions and letters to George Town. Then follows a little bit of the conjugal: "At half-past five o'clock, to my astonishment, Mrs. Batman arrived with our groom in the gig. She had received my letters, and thought I might remain here some days yet, and therefore thought she might as well come down." The pair were two days together at this wind-bound station. On Monday, the 18th May, the captain sent word for all on board, as the wind was fair. His wife drove to the Lighthouse hill to see the last of the vessel at night. The last entry of that day's journal is this: "Hope my dear wife may return home safe."

As the winds afterwards opposed Mr. Fawcner on his passage, and fairly drove him sea-sick to shore quarters, so did they beat back our venturous little bark, with Mr. Batman on board. The *Rebecca* was forced on Tuesday to put into Port Sorell. Getting away next evening, they were still in the northern gale, with, as we are told, "the sea running mountains high, the *Rebecca* jumping about like a kangaroo." Back they were driven again. On the 23rd there was a shift of breeze to the westward, and "no such thing as moving. When we are to get from this, God only knows!" He obtained some tools from the limeburners at Port Sorell, "intending," adds the journal, "to leave Gumm and the other man at Port Phillip, if everything answers and turns out to my expectations."

On the Sunday, a fortnight after his first start at Launceston, the vexatious calms and rough winds, alternately kept him near the old spot, and the writer mournfully pens his complaint: "When shall we get away from this? I am almost mad, but must wait with patience; I do not know what to do or how to act." The sea was running mountains high at the Heads next day, and again they have to retreat. "When shall we have wind?" cries the poor fellow, "Oh, dear!" He has but one source of satisfaction in this dreary time—writing to his beloved and loving wife "four large and long letters." His Sydney natives proposed sleeping on shore each night. Off he went at last, on the Tuesday, with a fair wind, to

the westward. "I am thankful for this," says the journalist.

Anchoring at the West Hunter Island, the explorer must have a ramble, and found out a large cove, forty feet high, forty feet broad, and 180 deep. He hoped for a good run that night, and he had his wish, passing King's Island and sighting New Holland at mid-day. He reached Port Phillip Heads on Friday, May 29, nineteen days after sailing from Launceston. It is now a passage of that number of hours. This is Mr. Batman's description:—"The wind was light, and after some difficulty we got in; width about a mile and a-quarter; the depth five and a-half to seven fathoms of water. We got well into the port about ten o'clock, where the water is very smooth, and one of the finest basins of water I ever saw, and most extensive."

He was no sooner in than he was saluted: "As we were sailing up the port, heard a dog on the shore howling; cannot think what brought it there." Going twelve miles within the port to anchor they saw another dog on the shore. The fate of this animal was a sad omen of the fate of the native dog's aboriginal master from the coming of the white man. "We put off," says the journal, "and came up to the dog, which proved to be a native dog of New Holland, which had surely left the natives within a day or two, as he came quite close to my natives, and did not appear at all afraid, but would not suffer them to take hold of him. Our dogs, after some time, took after him, and run him into the water, where we shot him."

Now they are after the poor dog's native friends, tracks of whom had been seen with the huts by the beach, where they had been eating mussels. This is the description of the country: "Beautiful land, and all good sheep country, rather sandy, but the sand black and rich, covered with kangaroo grass about ten inches high, and as green as a field of wheat, beautiful plains, excellent land, &c." Can we wonder that Mr. Batman's report of such a place should have sent the island settlers mad about it? Sealers and sailors had talked before, but now they had the evidence of such a bushman and farmer as John Batman himself.

On the Saturday he has more to say in praise. "Good

hay could be made, and in any quantity. I never saw anything equal to the land in my life. I was never so astonished in my life." On the Friday they had walked but twelve miles, but on the Saturday twenty. They had anchored about St. Leonard's, wandered over the Bellerine hills, and beheld the magnificent Geelong plains. Not astonishing that he said: "From what I have seen I am quite delighted with Port Phillip."

Sunday came when they were in Gellibrand's Harbour, the mouth of the Werribee or the Little River. On this day they came up to the natives. The story is so simply told, that the journal must be quoted:—

"At daylight this morning we landed to endeavour to meet the natives. We had not proceeded more than a mile and a-half when we saw the smoke at seven large huts. My natives stripped off, and went up to them quite naked. When they got to the huts, found that they had left this morning. Then, with the natives, went round, and found by their tracks the direction they went in. We followed on their tracks for ten miles or nearly, when Stomert(?) one of my natives, saw a black at the distance of a mile. We were at this time spread along. He made a sign to us, and all made in the same direction. He came up to the person (an old woman,) quite a cripple. She had no toes on one foot. We then saw the remainder of the tribe about a mile further on. We made towards them, and got up to them about one o'clock p.m. They seemed quite pleased with my natives, who could partially understand them. They sang and danced for them. I found them to be only women and children, twenty of the former, and twenty-four of the latter. The women were all of a small size, and every woman had a child at her back except one, who was quite a young woman, and very good looking."

How sad a tale is now told of the natives! Not nineteen out of twenty women can now exhibit an infant. Not one out of twenty? Not one out of a much larger number!

The explorer brought the ladies to the depôt of the party, and gave them handkerchiefs, bead necklaces, looking glasses, and sweet sugar and apples. As a gallant man he has a word more about the apparently unappro-

priated maiden :—"The young woman whom I have spoken of before, gave me a very handsome basket of her own make." Thirty miles finished this ramble, the next morning he was off again on his journey, hoping to fall in with the savage lords of his female friends. His curiosity was attracted by the skeleton of a curious animal, which he resolves to save "for a learned gentleman to study over on my return to Van Diemen's Land." Again he traverses rich and almost treeless plains ; he ascends Mounts Cottrell and Connelly to see the country round. He saw the smoke of native fires under one of these hills, and makes up his mind to a long ramble inland, meeting the vessel again at the head of the bay.

On Tuesday, June 2, he approached what, from its description, may be supposed to be the site of Williamstown, and prepared for a run up the Saltwater river. The next day he is off on his expedition with some of his Sydney blacks. Walking many miles and wanting fresh water, Gumm manages to find some by digging a little well with a stick. On Thursday morning, Batman names Mounts Wedge and Sams, after two others of the Association. Again he cries out, "Most beautiful pasturage I ever saw in my life." He sees marsh-mallows with leaves as big as cabbage leaves, and as high as his head. He traverses the Keilor plains and drinks of the Deep Creek, and calculates he has been thirty miles that day.

Friday finds him taking a west-north-west direction, crossing more creeks, one of which he calls after his wife Eliza. Smoke is seen to the eastward, and he travels round to it.

The 6th of June has arrived, and they started at last with the expectation of coming up with the natives. They were alongside Merri Creek—called Lucy after Batman's daughter. And now comes the interesting entry about the wild man :—

"We walked about eight miles when we fell in with the tracks of the natives, and shortly after came up with a family—one chief, his wife, and three children. I gave him a pair of blankets, handkerchiefs, beads, and three knives. He then went on with us, and crossed a freshwater creek. The land on each side excellent. He

took us on, saying he would take us to the tribe, and mentioned the names of chiefs. We walked about eight miles, when, to our surprise, we heard several voices calling after us. On looking back we saw eight men, all armed with spears, &c. When we stopped they threw aside their weapons, and came very friendly up to us. After shaking hands, and my giving them tomahawks, knives, &c., they took us with them, about a mile back, where we found their huts, women, and children."

It was here, on the banks of the Merri, or Lucy Creek, about the site of Northcote, and overlooking the adjacent lands of Collingwood Flat, that he made his memorable treaty with the aborigines, to which we shall hereafter refer.

Leaving Batman's Creek, called "after my own good self," and the kind-hearted chiefs with whom he had made his treaty, he passed along Maria's valley, named after his eldest daughter, and reached a forest. This, from the description, must be what we now call the Royal Park, by the University of Melbourne. "A forest," he says, "thinly timbered with gum, wattle, and sheoak. The land, for the first time, was rather sandy, with a little gravel." He had, in fact, left the rich soil on the basaltic rocks, and now walked on one of the palæozoic hills forming Melbourne east, Melbourne west, Fitzroy Hill, Carlton Hill, Richmond Hill, Northcote, and University Hill. Anxious to get to his vessel, lying at the mouth of the Saltwater River, he found as he descended from the high land of North Melbourne that he would have to cross what is now known as Batman's Swamp. This being an additional proof of his having seen and visited the site of Melbourne five months before Mr. Fawkner came, the journal story must be cited:—

"I crossed, on the banks of the river, a large marsh about one mile and a-half wide, by three or four miles long, of the richest description of soil—not a tree. When we got on the marsh the quails began to fly, and I think, at one time, I can safely say I saw a thousand quail flying at one time—quite a cloud. I never saw anything like it before. I shot two large ones as I walked along. At the upper end of the marsh is a

large lagoon. I should think, from the distance I saw, that it was upwards of a mile across, and full of swans, ducks, geese, &c. After crossing this marsh we passed through a tea-tree scrub, very high and thick. We expected, on getting through this, to make the vessel in an hour or two, but, to our great surprise, when we got through the scrub we found ourselves on a much larger river than the one we went up and had just come down."

The scrub was that from below the Melbourne Gas Company's works, alongside the Yarra to Saltwater. We discover from the journal that he followed the edge of this Yarra to its junction with the river he had before known—the Saltwater. Sending Bullet and Bungett swimming over to bring up the boat, he thus proceeds: "I was glad to see them, as we had got on the point at *the junction of the rivers*, where the tide had now risen up to our ankles." He got safely on board, "where," says he, "my travelling, I hope (on land) will cease for some time, having done everything I could possibly wish." Not bad work either; for although he does not tell us every day's work, he gives one day twenty miles, and two or three days thirty each.

It was on Sunday, June 7th, that he walked along by the Yarra. He determined to leave three white men, Gumm, Dodd, and Thompson, with the three Sydney natives, Bullett, Bungett, and Old Bull upon Indented Head with three months' supply, while he returned to Van Diemen's Land. Taking with him, therefore, on board, the Port Phillip presents of spears, wommeras, boomerangs, and stone tomahawks, he tried to get from the Williamstown waters. But the winds were as unwilling for him to quit the land as they had been for him to visit it. Too active to lose time, he took a row up the Yarra. This is his story.

"The boat went up the large river I have spoken of, which comes from the east, and I am glad to state, about six miles up, found the river all good water, and very deep. *This will be the place for a village.*"

Hastening back from the future Melbourne Wharf, he landed at Indented Head on the Tuesday. All his Sydney men wanted to stay, so he permitted Pigeon and Joe the marine to remain with the rest, eight in all.

They were directed to plant garden seeds, fruits and potatoes. To show his faith in his work, he says: "I left apples and oranges with them, also the six dogs, and gave Gumm written authority to put off any person or persons that may trespass on the land I have purchased from the natives." Shaking hands all round, the sea party got through the Heads on Sunday evening, ran eighty miles that night, and entered George Town at six on the Thursday morning, "with a fair wind up the river" to Launceston.

Thus propitiously ended the voyage so inauspiciously begun. Like the heroes of ancient history, he had conquered the fates by his courage.

OFFICIAL CORRESPONDENCE OF MR. BATMAN.

IMMEDIATELY upon the return of Mr. Batman with the brave news of the new country, a consultation of the associated friends took place, when it was resolved to make a formal address to the Lieutenant-Governor of Van Diemen's Land, in the shape of a letter from Mr. Batman. Again was the ready hand of Mr. Gellibrand called into requisition, as can be detected in the flowing diction of the following document, manufactured from the explorer's simple journal. It is dated a few days after the return of the *Rebecca*.

Hobart Town, 25th June, 1835.

SIR,—I have the honour of reporting to your Excellency for the information of His Majesty's Government the result of an expedition, undertaken at the expense and in conjunction with several gentlemen, inhabitants of Van Diemen's Land, to Port Phillip, on the south-western point of New Holland, for the purpose of forming an extensive pastoral establishment, and combining therewith the civilisation of the native tribes who are living in that part of the country.

Before I enter into the details, I deem it necessary to state for the information of His Majesty's Government, that I am a native of New South Wales, and that for the last six years I have been most actively employed in endeavouring to civilise the aboriginal natives of Van Diemen's Land; and in order to enable the local Government of this colony to carry that important object into full effect, I procured from New South Wales eleven aboriginal natives of New Holland, who were,

under my guidance, mainly instrumental in carrying into effect the humane object of this Government towards the aborigines of this island.

I also deem it necessary to state that I have been for many years impressed with the opinion that a most advantageous settlement might be formed at Western Port, or Port Phillip, and that in 1827 Mr. J. T. Gellibrand and myself addressed a joint letter to the colonial Government of New South Wales, soliciting permission to occupy land at Port Phillip, with an undertaking to export to that place stock to the value of £5000, and which was to be placed for a certain number of years under my personal direction and superintendence. This application was not granted by the Sydney Government, because the land was beyond the limits of that territory, and the occupation of Western Port had been altogether abandoned.

It occurred to myself and some of the gentlemen who are associated with me, that inasmuch as the Sydney natives who were living with me had become well acquainted with the English language and manners, and had acquired habits of industry and agricultural pursuits, they might therefore be considered partially civilised; and as the available lands in this colony were occupied by flocks of sheep, and fully stocked, it would be a favourable opportunity of opening a direct friendly intercourse with the tribes in the neighbourhood of Port Phillip, and by obtaining from them a grant of a portion of that territory upon equitable principles, not only might the resources of this colony be considerably extended, but the object of civilisation be established, and which in process of time would lead to the civilisation of a large portion of the aborigines of that extensive country.

In pursuance of arrangements based upon these principles I proceeded on the 12th day of May, 1835, in a vessel from Launceston, accompanied by seven Sydney natives, and proceeded to Port Phillip, on the south-western extremity of New Holland, where I landed on the 26th day of May.

On the evening of our arrival at Port Phillip, we saw the native fires at the distance of about five miles; I then made my arrangements for the purpose of opening an interview with the natives by means of those under my charge. I equipped them in their native dresses, and early in the morning we landed. I desired the natives to proceed unarmed, and they preceded me a few hundred yards. When we had advanced within half-a-mile we saw the native huts and smoke. My natives then proceeded quietly up to the huts, expecting that we should find the tribe asleep, but when they had got to the huts it appeared that the natives had fled a few hours previously, leaving behind them some of their buckets and other articles.

I concluded from this that the natives had discerned the vessel, and had quitted their huts through fear; and as I thought it probable they might in consequence quit the coast for a season, I determined immediately to put my natives upon

the track, and, if possible, overtake them, and at once obtain their confidence.

My natives followed the track, which appeared to have been very circuitous, and after we had proceeded about ten miles we at length saw a tribe consisting of twenty women and twenty-four children.

My natives then made to them some of their friendly signals, which it appeared were understood, and in the course of a few minutes my natives joined the tribe, and after remaining with them as I judged sufficient length of time to conciliate them and explain my friendly disposition, I advanced alone and joined them, and was introduced to them by my natives, two of whom spoke nearly the same language, and so as to be perfectly intelligible to them.

The two interpreters explained to them by my directions that I had come in a vessel from the other shores to settle amongst them and be upon friendly terms; that I was, although a white, a countryman of theirs, and would protect them, and I wished them to return with me to their huts, where I had left some presents for them.

After some conversation the whole party, women and children, returned with me and my natives towards the huts, until they came within sight of the shore, they then stopped and hesitated in proceeding, and as I understood from the interpreters were afraid I should take them by force and ill-use them, as some of their tribe had been already ill-treated.

After the strongest assurances on my part of my sincerity and friendly disposition, and that no harm should be done to them, they proceeded to the huts, where I gave them a pair of blankets each, tomahawks, knives, scissors, looking-glasses; and I affixed, round the neck of each woman and child, a necklace.

As soon as I had distributed the presents, they were informed by the interpreters that they might depart and join their friends, and I left them and proceeded on board the vessel. They appeared, by my conduct towards them, highly gratified and excited, and showed by their manner that the fullest confidence existed.

On the next and five following days I employed myself in surveying the country, and although I saw several native fires, I abstained from intruding upon them, leaving the interview I had had with the women to have its full effect upon the tribes, before I visited them again.

On the seventh day I proceeded towards the place where I had seen the fires, and where I had reason to believe the tribes were, and I sent my natives forward with the same instructions as upon the first occasion. We remained up the country all night and proceeded early the next morning, under the expectation of meeting the tribes. After we had proceeded about seven miles, we fell in with a native man, his wife, and three children, who received my natives with apparent cordiality,

and informed them that the women to whom I had given the presents, although belonging to another tribe, had communicated to them the reception they had met with from me.

I learned from this native where the chiefs of the tribe were stationed, and also their names, and this man most readily offered to act as our guide and take us at once to the spot. We then proceeded with the man, his wife, and children, towards the huts of the chiefs; but it appeared that the guide took us past the spot where the chiefs were, and some of the children, having observed a white man, gave the alarm, and almost immediately we found the tribe in our rear, advancing towards us with spears and in a menacing position. My natives, with the man, woman, and children, then called out to the tribe, and they immediately dropped their spears and other implements in the grass, and the two sable parties advanced towards each other, and I shortly followed them.

Some conversation then took place between my natives and the tribe. The object of my visit and intentions were then explained to them, and the chiefs then pressed me to proceed with them to see their wives and children, which is one of the strongest demonstrations of peace and confidence. Upon my assenting to this request, the chiefs then inquired of my interpreters whether I would allow them to take up their implements of war, which I immediately assented to, and the principal chief then gave me his best spear to carry, and I in return gave him my gun.

We then proceeded towards the huts, and when a short distance from them, the chief called out to the women not to be alarmed, and I was then introduced to the whole tribe, consisting of upwards of twenty men; containing, altogether, fifty-five men, women, and children.

I joined this tribe about twelve o'clock, and staid with them until about twelve o'clock the next day, during which time I fully explained to them that the object of my visit was to purchase from them a tract of their country, that I intended to settle amongst them with my wife and seven daughters, and that I intended to bring to the country sheep and cattle. I also explained my wish to protect them in every way, to employ them the same as my own natives, and also to clothe and feed them, and I also proposed to pay them an annual tribute as a compensation for the enjoyment of the land.

The chiefs appeared most fully to comprehend my proposals, and much delighted with the prospect of having me to live amongst them. I then explained to them the boundaries of the land which I wished to purchase, and which are defined by hills, to which they have affixed native names: and the limits of the land purchased by me are defined in the chart which I have the honour of transmitting, taken from personal survey.

On the next day the chiefs proceeded with me to the boundaries, and they marked, with their own native marks, the trees at the corners of the boundaries, and they also gave me

their own private mark, which is kept sacred by them, even so much that the women are not allowed to see it.

After the boundaries had been thus marked and described, I filled up as accurately as I could define it, the land agreed to be purchased by me from the chiefs, and the deed, when thus filled up, was most carefully read over and explained to them by the two interpreters, so that they most fully comprehended its purport and effect. I then filled up two other parts of the deed so as to make it in triplicate, and the three principal chiefs and five of the subordinate chiefs then executed each of the deeds, each part being separately read over, and they each delivered to me a piece of the soil for the purpose of putting me in possession thereof, I understanding that it was a form by which they delivered to me the tract of land.

I have the honour of enclosing herewith a copy of each of the deeds executed by the natives to me, which I confidently trust will most clearly manifest that I have proceeded upon an equitable principle, that my object has not been possession and expulsion, or what is worse, extermination; but possession and civilisation, and the reservation of the annual tribute to those who are the real owners of the soil will afford evidence of the sincerity of my professions in wishing to protect and civilise these tribes of benighted but intelligent people, and I confidently trust that the British Government will duly appreciate the treaty which I have made with these tribes, and will not in any manner molest the arrangements which I have made, but that I shall receive the support and encouragement of not only the Local Government, but that of the British Government in carrying the objects into effect.

I quitted Port Phillip on the 14th day of June, having parted with the tribes in the most friendly and conciliatory manner, leaving five of my natives and three white men to commence a garden near the harbour, and to erect a house for my temporary occupation, on my return with my wife and family.

I arrived at Launceston after a passage of thirty-six hours, which will at once show the geographical advantages of this territory to Van Diemen's Land; and in a few years, I have no hesitation in affirming, from the nature of the soil, that the exports of wool and meat to Van Diemen's Land will form a considerable feature in its commercial relations.

I traversed the country in opposite directions about fifty miles, and having had much experience in lands and grazing in New South Wales, and in this colony, I have no hesitation in asserting that the general character of the country is decidedly superior to any which I have ever seen. It is interspersed with fine rivers and creeks, and the Downs were extended on every side as far as the eye could reach, thickly covered with grass of the finest description, and containing an almost indescribable extent of fine land fit for any purposes.

I have finally to report that the following are the gentlemen who are associated with me in the colonisation at Port Phillip,

many of whom will reside with their establishment at Port Phillip, and all of whom are prepared, and intend immediately to export stock, which will be under my general guidance and immediate superintendence :—

C. SWANSTON,
JAMES SIMPSON,
J. AND W. ROBERTSON,
T. H. WEDGE,
J. T. COLLICOTT,
W. G. SAMS,
THOMAS BANNISTER,

J. T. GELLIBRAND,
— M'ARTHUR,
J. SINCLAIR,
A. COTTERELL,
M. CONOLLY,
GEO. MEECEB.

The quantity of stock exported this year will be at the least 20,000 breeding ewes; and one of the leading stipulations will be, that none but married men of good character, with their families, will be sent either as overseers or servants, so that by no possibility any personal injury shall be offered to the natives or their families; and it is also intended for the purpose of preserving due order and morality that a minister or catechist shall be attached to the establishment at the expense of the association.

The chiefs, to manifest their friendly feeling towards me, insisted upon my receiving from them two native cloaks and several baskets made by the woman, and also some of their implements of defence, which I beg to transmit.

The women generally are clothed with cloaks of a description somewhat similar, and they certainly appear to me to be of a superior race to any natives whom I have ever seen.

I have the honor, &c.,

BATMAN.

When the Proclamation of the New South Wales Governor-General Bourke thundered forth its disapproval of the settlement, in spite of the appeal of the deputation of contemplated settlers, the Tasmanian Association bravely contended for their rights, and Mr. Batman was advised to write to Governor Arthur, of Van Diemen's Land, who had long been personally favourable to him, to enlist his sympathy, by showing more definitely the views of the Company. This was the communication :

Launceston, October 23, 1835.

SIR,—I had the honour in the month of July last of transmitting you a report of my proceedings at Port Phillip, for the purpose of effecting an amicable settlement with the natives of that part of New Holland, and of the treaty concluded by me for the occupation of a certain tract of country under a certain

annual tribute, and to be used for pastoral purposes, and in that report I communicated to your Excellency the names of the gentlemen who are associated with me in forming the settlement. At that time it was considered by the members of the association that the territory in question was beyond the jurisdiction of his Excellency the Governor of New South Wales, and the report was therefore addressed to your Excellency for the purpose of being transmitted to the British Government, under the expectation of the Crown confirming the land thus ceded upon such terms as might appear equitable and just, and for that purpose full instructions were transmitted by the gentlemen of the association to responsible agents in London to represent their interests with the British Government, and to fulfil such conditions as they might agree with the Crown for a full confirmation or grant of the territory in question; but as it now appears, by the Governor-in-Chief's proclamation, that his Excellency exercises jurisdiction over the territory in question as part of New South Wales, I have the honour to solicit that you will be pleased to fully inform his Excellency General Bourke of the proposed plans of the association, their capacity to carry them into execution, and the principles under which they wish to establish a colony at Port Phillip. I have the honour to inform your Excellency that the association does not possess any community of interests, but the stock will be the separate property of each party shipping, and be placed upon separate establishments, and that as soon as the pleasure of the British Government is known with regard to the terms upon which the territory may be granted that a division of the lands will then be formally made, and from that period each party will have a separated and distinct permanent establishment, furnishing a proportion of quit rent or tribute payable for the same, and also of other expenses which will be necessarily imposed in carrying the objects of civilisation into effect.

The parties have engaged two ships for the transmission of stock and supplies, and in the course of six months they will have property there to the value of £25,000 at least, and there can be little doubt that in a very short space of time a colony of great importance not only to the mother country but to both colonies will be established.

The association has already felt some inconvenience by individuals who have recently quitted the port of Launceston, and, in defiance of our occupation of the land from the natives, have fixed themselves on part of the territory, and serious apprehensions are entertained that they will materially check if not destroy the principles of civilisation unless controlled by competent authority, and I am therefore requested most respectfully to suggest the propriety of proper authority being given to some individual for the purpose of enabling the members of the association to carry on the principle of colonisation and civilisation until the pleasure of the British Government may be communicated, and maturer plans be adopted; and I am authorised

to add, that the members of the association will most cheerfully defray such portion of the expenses attendant on the measure as the local government may consider fair and reasonable. I propose immediately to proceed with my family to Port Phillip, to take, with Mr. Wedge, the direction of the affairs of the association and the arrangements with the native tribes, and as the vessel will be engaged for the next six months in carrying stock to Port Phillip, the association will be happy to carry into effect any arrangements for building for such persons as the Government may think fit to send. I have the honour of reporting the progress made by the association since July last with the native tribes from that period up to the commencement of this month, when Mr. Wedge left Port Phillip. The intercourse has been kept up upon the most friendly terms, and from eighty to a hundred natives have been clothed and supplied with daily rations at the expense of the association. The natives have been partially occupied in habits of industry, and I have not the least hesitation in affirming that, if no unforeseen obstacles occur, a gradual system of civilisation will obtain.

In the report the association communicated their intention of engaging a surgeon and catechist. This pledge has been realised, and Dr. Thomson proceeds with me to execute the duties.

(Signed)

J. BATMAN.

To his Excellency Governor Arthur.

There is yet one more letter written by Mr. Batman, on the occasion of his return from Port Phillip on another occasion. Through the courtesy of Mr. Sams, of Launceston, I have been furnished with a copy. It is directed to Mr. Montague, then Colonial-Secretary of the island, and in the same position upon my arrival in Hobart Town. The simple brevity marks it as the work of honest John himself, without the help of his legal friend.

Launceston, 30th November, 1835.

SIR,—I beg to acquaint you, for the information of his Excellency the Lieutenant-Governor, that on Thursday last I arrived at George Town, in the barque *Norval*, from Port Phillip, after a passage of about thirty hours (the same space of time having been occupied in my passage there.) On my arrival at the station of the Association on Indented Head, where only two white men with two Sydney natives are now staying, I was happy to find that a most friendly feeling existed between them and the aborigines, between sixty and seventy of whom were also there, in proof of which feeling I need only acquaint your Excellency that my party had been for many days without

rations; but, by the kindness of the friendly natives, had been well supplied with the roots on which they chiefly subsist, and which my people assured me they found nutritious and agreeable. It is gratifying to know that should supplies at any time fail, nature has provided that which will secure them from want. I then proceeded to the north-east part of the port, where the settlement is formed, where I landed the cattle and sheep, and found everything progressing in a way beyond my most sanguine expectations; so favourable are the soil and climate to vegetation that we found the people well supplied with vegetables of the finest growth and quality, the produce of seeds sown only about ten weeks before, and they were able to supply the ship with potatoes and a variety of other vegetables for our return voyage. The wheat was looking most luxuriant, the people all well satisfied, and not one wishing to return. The country affords them an abundant supply of fish and wild fowl, and as regards the stock, all which were taken there ten or twelve weeks since had improved beyond description; and incredible as it may appear, the change for the better, which took place in the condition of the stock taken down by me, during the four or five days I remained, was so great that I must myself have witnessed it to have believed it. The intercourse with the natives had gone on well. Once since our establishment as many as 400 natives were assembled for the purpose of settling some ancient quarrel; and, although so many different tribes were collected together, uniform good will was shown by all of them towards the white people, and the dispute they had met to settle ended without any more unfortunate result than a slight wound in the arm, which one of them received. Shortly after, 270 of them left the settlement, and were at their own request ferried across the river in our whale-boat. Here I cannot refrain expressing my thankfulness to that good Providence which threw "Buckley" in our way, for certainly he has been the medium of successfully establishing between us and the natives an understanding, which, without his assistance, could never have been effected to the extent it has been, and which now leaves no room to doubt the most beneficial results in proof of the present favourable state of intercourse with them. I may mention that for the trifling gratuity of a piece of bread they are always ready to perform any useful service as far as their ability will go. During my stay there Buckley explained to the several chiefs our motives and intentions in settling amongst them and the consequences which might arise from any aggression on their part. He also explained that any ill-treatment on the part of white men towards them, if reported to the heads of the establishment, would meet with its proper punishment. With this understanding they were perfectly well pleased, and promised to act in conformity with it. In fact, however sanguine I may previously have been as to the complete success of the undertaking, I feel now infinite reason to be much more so; and doubt not but the settlement now formed

will be useful, not only to all immediately concerned, but to the mother country as well as to this colony.

I have the honour to be, Sir,

Your obedient Servant,

(Signed) JOHN BATMAN.

[John Montagu, Esq., Colonial Secretary.]

P.S.—I take the liberty to forward through the Commandant a portrait of "Buckley," which I consider to be a very correct likeness.—J.B.

Unlike his rival, Mr. Batman was not given to newspaper writing, or we might have been more favoured with his views. He was essentially a man of action, and not of speech.

These three letters throw much light upon the transactions of the period, and the character of the man. He was no hypocrite in his profession of interest in the natives. If we had had more of the Batman spirit of justice and benevolence the national conscience would have been more pure and peaceful.

WHAT THE PRESS SAID OF MR. BATMAN'S VISIT.

IMMEDIATELY after the return of the *Rebecca* the excitement was great in the quiet little island. The *Cornwall Chronicle* of Launceston was the first to give particulars of the visit. No mystery was made of the proceedings, and there was no necessity for Mr. Fawcner to have "put a man" upon Mr. Batman. The subjoined article appeared as early as June 13th, 1835:—

"The Tasmanian Penn, Mr. Batman, arrived yesterday from Port Phillip, and reached his own home from thence within little more than forty-eight hours. We are informed that he has purchased from a tribe of natives about 500,000 acres of land, taking his boundaries from a short distance in the rear of Port Phillip. Almost immediately after landing Mr. Batman fell in with a tribe of forty, who at first evinced a disposition to oppose him, but after a short parley the natives he had with him effected an understanding, and he was received by them with open arms, and every manifestation of good feeling.

"The peaceable disposition shown on the part of the holders of the new country enabled Mr. Batman to execute the object of his visit effectually and speedily. A fine, athletic fellow—the chief of the tribe—after being made acquainted with Mr. Batman's wish to purchase land, and his means to pay for it, proceeded with him and his party, accompanied by his tribe, to measure it off. At each corner boundary the chief marked a tree, and tabooed it, and at the same time explained to his tribe the nature of the treaty, and the positive necessity on their part to observe it inviolable. Mr. Batman was provided with deeds in triplicate, the nature of which he explained to the chief as the fashion upon such an occasion in white man's country, who readily signed them, and received one to preserve. The payment of the land in part consisted of 100 blankets, tomahawks, knives, flour, &c.; and it was mutually agreed, that a certain quantity of clothing and arms were to be paid each year, the amount of them about £200 sterling. Mr. Batman reached the hill marked out by Mr. Hume on his expedition with Howell, and from his outer boundary he saw an immense tract of open country. He describes the whole of the land he noticed as being well watered and luxuriant in kangaroo grass, and so lightly timbered and level that—to use Mr. Batman's own expression—a horse might run away with a gig for twenty miles on end without fear of upsetting from irregularity of the ground.

"We regret that our limits prevent us stating more fully the particulars of Mr. Batman's interesting expedition."

On the same day, June 13, is a quizzing letter, addressed to the editor, and signed "Wrangleawee," commencing—

"Sir,—I am happy to inform you that the schooner has arrived safe from Port Phillip, on the opposite side of the straits. Mr. Batman has left Mr. Pigeon, commander of the Sydney blacks (who acted under Black Robinson in catching the blacks here,) in possession of the territory, amounting to two millions of acres, which he purchased from one of the natives. The site of a township has been marked off, to be called 'Batmania,' at the head of Port Phillip, well supplied with a running

stream of fresh water. I have not time to add another line, but I will give you further particulars in my next."

The Hobart Town *Courier* of the 26th of June has an article upon the matter, which, while having a fling at the romance of the transaction, admits the facts, and is prompt in acknowledgment of Mr. Batman's efforts:—

"The return of Mr. Batman from his expedition to Port Phillip with the favourable result of his interview with the aborigines there, has, we learn, induced above a dozen of our wealthy and influential capitalists, both here and at Launceston, to join him in the enterprise. So far as placing sheep on this fine pastoral country, and bringing it for the first time into a productive state, and of which this colony will mainly reap the benefit, we cannot but applaud the measure. The spirited individuals who embark in it will not only explore and bring out the resources of a hitherto almost unknown country, but the compact which Mr. Batman has so wisely made with the original owners of the soil must, to a great extent, if fairly observed by the whites, have the most happy effect in maintaining an amicable intercourse between the graziers and their black associates. Happy had it been for Van Diemen's Land if the same step had been taken with the aborigines on its first settlement by the English."

The Rev. Dr. Lang, in spite of his ridicule afterwards of the treaty, was much struck at the effect of Mr. Batman's visit. Here is his account in the Port Phillip History.

"Mr. Batman's report as to the capabilities of Port Phillip as a grazing country was in the highest degree favourable; and that report having been subsequently confirmed by the testimony of other credible witnesses, who were afterwards sent across from Van Diemen's Land on his track, the result was as if the whole colony of Van Diemen's Land had been suddenly electrified. I happened to visit that island, on a clerical tour from New South Wales, in the months of October and November, 1835, when the excitement was at its height, and, on traversing the island to and fro between Hobart Town and Launceston, I found almost every respectable person I met with—either individually or in the person of some near relative or confidential agent—anxious to occupy the Australian El Dorado."

This conclusive testimony from the historian of New South Wales and Port Phillip ought to satisfy us as to the debt owing to Mr. Batman, for at the time of the worthy doctor seeing this excitement from the report of our explorer Mr. Fawkner had not even seen the Yarra. *Who then is the founder of the colony?*

MR. FAWKNER'S NARRATIVE.

HAVING heard the Hon. J. P. Fawkner deliver his celebrated lecture upon "the Reminiscences of Port Phillip," the same as he has been delivering at various places for the last four years, I would repeat the leading features brought forward therein, without, for the present, commenting upon them.

It would interest some not favoured with a personal knowledge of the man, to have a description of his appearance. He is small of stature, and extremely attenuated in form. Bowed with years, oppressed with a cough, with a few white hairs drooping from beneath his skull cap, he has that aspect of feebleness and age which commands at once the reverential respect of the spectator, and the patient attention of the listener to his weak and struggling speech. It is only when some remembrance of ancient wrongs comes up, or the narrative runs into the personal of his former rivals, that his dull eye quickens into something of its olden flash of fire, and his voice rises as if to emulate the vehemence which marked his early oratory. The infirmities of a frame in its seventy-fifth year soon reduce his enthusiasm, and lower his tone to whispering weakness. The distressing cough which follows increases the sympathy of his auditors, and ears are brought forward with more watchful care to catch the notes, so precious as they seem.

Apart from the interest of such a man telling his tale of our new-born history, there is much in Mr. Fawkner to excite the wonder and pleasure of the thoughtful observer. Without scholastic instruction, without moral direction, without hallowing communion, exposed to the worst of influences, associated in poverty with the degradation of vicious penury, a workmate of convicts, a

sawyer in forests infested with blood-seeking savages, and subjected to the scorn and injustice of rampant political despotism, he bears with all, rises through all, torn with the struggle, and begrimed in the fight, but a man still with a man's heart—a Carlyle hero in his somewhat unscrupulous roughness and vital tenacity of self, till he stands before us now a legislator in the senate of Victoria, one of means as well as position, a hard worker for the elevation of the masses, the owner of a noble library, and a friend of mechanics' institutes, churches, and schools.

But to his story, as he gave it. Telling us of the origin of the Port Phillip expedition, he introduced his voyage with his father, mother, and sister. The little fleet called in for provisions at Cape Town, then in the possession of Holland. The Dutch Governor requested them to surrender. Captain Woodruff, putting his frigate in order, returned for answer, "Come and take us." The pacific commander, who preferred his quiet pipe to the trumpet of war, finding that the English did not care about becoming involuntary Cape settlers, permitted the headstrong people to have their own way. So, after procuring supplies, the party sailed off. The day after reaching Port Phillip the young emigrant attained his eleventh year. On the abandonment of the location, the Fawkner family suffered much on their *month's* voyage from the Port Phillip Heads to the Tasmanian Derwent.

Passing over nearly thirty years of his life, he introduced the question of our colony. The desire of some to turn Van Diemen's Land into a large squatter's run, by the passing of the Impounding Act, was the immediate cause, he told us, of his taking up the project of a poor man's country elsewhere. He resolved to recolonise his olden home of Port Phillip, and make it free for working men. Having seen, on Captain Sturt's map, the route of Messrs. Hume and Howell to Geelong, with indications of the Yarra, he determined to make that river the scene of his labours.

Wishing to make a tour of inspection, he sought a passage across the straits by one of Mr. Henty's vessels going to Portland Bay. Failing in this, he bought the schooner *Enterprise* for his purpose. The non-arrival

of the craft from Sydney delayed his trip, and gave time for Mr. Batman to be first in the field. He then tried to make friends with the latter, but he refused to admit him into the Association he had formed. Unable, from sea sickness, to proceed with the *Enterprise* on her first voyage, Mr. Fawkner says he gave the party directions when they went off to Western Port. Subsequently, towards the end of October, 1835, he became a settler on the banks of the Yarra, near where the Custom House now is. He refers with pride to the first crop of wheat raised by his men, and in the consciousness of how much the Port Phillippians owe him, exclaimed, "The country is something indebted to me."

He was very merry upon the subject of Batman's treaty with the aborigines, and observed that he knew all about the transaction, for he had "put a man upon him." The lecturer assured his audience that he came here to prevent this country being a squatting station. When he arrived within the bay he went ashore at the old place by Point Nepean, and there he saw the remains of chimneys erected in 1803, with casks fixed in the sand to obtain water.

Reaching the Yarra he discovered that his two men, whom he had sent two months before, had enclosed ten acres of land, and obtained a very promising crop. Though the new comers had been compelled to cross the river for awhile, they were able to make peace with Henry Batman, then in charge for his brother, by the timely present of some gin, a fair stock of which had been forwarded by the Launceston publican. A wonderful story was told of a supposed attack of the natives, when the lecturer gave a vivid description of his own warlike preparations, and his shot into a tree near the mob, which frightened them off. Then he had something to say of Mr. Wedge, and much about Mr. Batman. He assured the young people present that both brothers were dissipated men, and he enlightened them upon the practices of one in such language as to cause a general titter along the lines of crinoline. As upon his previous allusions to the first Governor's exploits with the wives of other people, and the first chaplain doing ditto, much merriment was manifested. He then

added, "Where are the Batmans now? All vanished from the face of the earth."

The lecture was a rambling one in its incidents, with a running commentary upon colonial history.

ORIGIN OF MR. FAWKNER'S COLONISATION.

THE first settlement of this country was not done in a corner. No secret conclave met to develop the design. When, as early as 1827, official letters had been written, and a specific offer upon certain conditions made to the Sydney Governor, by Messrs. Gellibrand and Batman, the merits of the case had been well discussed. I have been informed by several parties of various schemes attempted to be floated relative to the Port Phillip pastures. The one thing that frightened the Tasmanian colonists from the venture was the knowledge, procured from sealers and others, that the land was populous with natives. The long and bloody war between the settlers and the blacks in the little island had given the former a wholesome dread of savage conflicts. Few doubted the story of the green pastures, but all seemed to pause before a venture with flocks in a lone country, without governmental protection, and with exposure to blood-thirsty tribes. When the Messrs. Henty boldly planted a whaling station at Portland Bay, in 1834, others began to talk more resolutely.

Need it be wondered, then, that so restless and enterprising a man as the landlord of the Cornwall Hotel, of Launceston, should catch the Port Phillip fever, and be foremost in the plot of colonisation.

In 1853, Mr. Fawkner gives this account of the movement:—

"Early in the year 1835, the writer of these pages had arranged in his own mind a plan of colonisation for Port Phillip, and to enable him to make good his scheme, five residents of Launceston were taken into his confidence. What strange events are brought about by small means, and from what a mixed society of honourable men was this project carried into operation. The colonisers were six in number:—One ex-editor

of the *Launceston Advertiser*, John Pascoe Fawkner; one architect and builder; two cabinetmakers and builders; one plasterer, and one captain in the merchant service. The most of them possessing at least a fair average share of common sense, and no little activity. Each of them brought with them some capital in cash or stock, and a vast amount of the very best of capital, that without which no new colony can get on well, viz., hands used to work, and minds resolved to labour. J. P. Fawkner, in order to ensure the necessary means of transit to and from Port Phillip and Launceston, bought of Mr. John Anderson Brown the schooner *Enterprise*, of about 55 tons burthen. But Mr. B.'s agent had employed this vessel, which had been sent to fetch coals from Newcastle, in the regular coal trade between Sydney and the coal mines of Newcastle, and thus the settlement of Port Phillip was retarded some weeks."

In 1862, he again claims to the merit of the company in saying, "During March and April I searched out and found five persons in Launceston willing to venture across with me as their guide. Their names and occupations were as follows:—1st, John Lancey, pilot, had commanded one of the colonial vessels; 2nd, Robert Hay Marr, carpenter and builder; 3rd, Samuel Jackson, architect and builder; 4th, William Jackson, also a carpenter; and 5th, George Evans, plasterer. As soon as these men had agreed to join me, I desired my broker, Mr. John Charles Underwood, of Launceston, to purchase for me a vessel," &c.

When I heard him a few weeks ago give an account of his adventures, before a public audience, he wished to impress upon them this great fact, that he had always been an enemy of the squatters, and that it was *because* he saw the danger of this fine country being converted by the Tasmanian squatters into a sheep walk, he forthwith organised a party of working men to thwart the intentions of the aristocracy of Van Diemen's Land, and so established here a free colony. Certainly, the persons selected—four mechanics, a pilot, and a publican—were hardly sufficient to upset the project. Several of these, too, *intended* to do the very thing they were supposed to be formed to prevent—going squatting.

There was this difference, however, between the parties; the gentlemen squatters were not going to seize the lands without a recognition of the claims of others, having treated the natives honourably, and having sought without avail the sanction of Government. On the other hand, Mr. Fawkner's party were going to rush the country, use what they chose, do what they pleased with it, without the acknowledgment of any right but that of force.

One of the so-called party of anti-squatters, Mr. Evans, assured me that he went with the avowed intention to run sheep. Out of the six who sought to oppose squat-terdom, one died early at sea, and four at least, *including Mr. Fawkner himself, became squatters.*

But let us have another glance at this Launceston company. By the general tenor of Mr. Fawkner's remarks, it will appear to have been a co-operative association. Elsewhere he speaks of all others as his underlings; and even implies that they were his servants. Incautiously writing about Mr. George Evans, his daughter thus indignantly denies the slander in the newspaper of the day, 1863:—"My father came here on his own resources. He paid his own passage, and that of his servant, Evan Evans. He was in every way better able to employ Mr. Fawkner than Mr. Fawkner him." Mr. Evans denies the fact of the association altogether. The vessel was the private property of Mr. Fawkner, and the others paid passage for themselves and goods. There is no evidence that they ever did anything as a company. Each did as he pleased, and went where he would. In fact, Mr. Fawkner elsewhere admits that he had two servants, who broke up some land for him before he came over. After very careful examination of authorities, I can find no proof of the existence of any such organisation. It is true that published testimony at a very early date sanctions this tradition, for Mr. Arden, in his historical sketch, in 1843, mentions it. "It seems," says he, "that the success of Mr. Batman quickly raised up imitators of his scheme; for, as soon as his report reached Launceston, Mr. J. P. Fawkner, a party well known as the landlord of the Cornwall Hotel, in Launceston, organised a second company." But this witness will not be acceptable to our ancient colonist;

and the witness and acts of the supposed members militate against the theory.

There is another to introduce into the box to give evidence—no less a person than John Batman himself. In a remarkable letter, the original of which is now lying before me, there is another and more extended version of this “Association of Six.” The letter is addressed to Mr. John Helder Wedge, and was written not many days after his return from his first visit to Port Phillip, being dated June 18th, 1835. This is the reference:—

“When in Launceston I had the honour of a call from John Faulkner, *Esq.*, who said he was only waiting the return of the ship from Sydney, which he expected hourly, and a great deal more. He wished to be on good terms with us, and would not in any way interfere with us, and hoped we should act in the same way toward him—that was, that we would not *encourage* his servants, &c. He offered to take anything I wished down there, or any person. He further told me he had fourteen families altogether going down with him, and the rules, &c. &c. all drawn up and signed by them that each party would take five to 700 pounds with them. What think you of all this? For my part, as he goes to the opposite side (*Point Nepean*,) I think it all the better for us; the more the better.”

How the fourteen *families* of June fell to six individuals in August, we know not. One thing is very clear from this story, that Mr. Fawcner then entertained no such horror of Mr. Batman and his squatting association as he afterwards affected to feel. Curiously enough, this attempted fraternisation referred to in the letter is substantiated in a passing remark by Mr. Fawcner, that he rode over to Ben Lomond to see Mr. Batman, and asked to be admitted a member of his party, but was *refused*. What, then, becomes of the virtuous ground of his association, and his own heroism in the cause of the poor man in opposition to squatterdom?

In a public meeting I heard that gentleman go further back into the causes prompting *his* foundation of the colony. The “Impounding Act” of Van Diemen’s Land pressed very harshly upon the small herdsman, heretofore running a few cows on unenclosed public grounds

without payment. By that act, and the subsequent seizure of stock, a great reduction in the value of animals took place, to the loss of the poor and gain of the rich. This, said Mr. Fawkner, made him resolve to establish a colony where the rights of the poor should be regarded.

But having had to question the strict accuracy of Mr. Fawkner's written statements, it is with sincere satisfaction that I am enabled to support one part of his story, so often questioned by others. Mr. Arden is only one of many attributing Mr. Fawkner's presence wholly to the report of Mr. Batman. Even Mr. Evans would sanction such an interpretation. But as the historian of the era in question, I feel quite convinced that Mr. Fawkner had privately resolved to get up a movement for the new place, and had made arrangements accordingly, before the passage of the founder of the colony—Mr. John Batman. Though quite agreeing with Captain Robson and others, that Mr. Batman paved the way for Mr. Fawkner, I can well believe that the latter's visit was not wholly formed on the report to the Governor. Here is evidence to the contrary. It is contained in the *Launceston Advertiser* of May 21st, after the sailing of the *Rebecca*, but before the return of Mr. Batman:—

"The *Enterprise*, daily expected from Sydney, will be immediately laid on for New Holland, to convey an exploring party of gentlemen to the 'new country.' Mr. Batman, with a number of attendants, including six Sydney natives, that have some time resided here, left George Town this week in a small vessel, commanded by Mr. J. P. Harwood, for the purpose of exploring part of the same country."

It may be true, as Mr. Newton, his old friend of the early days, thus expresses it in his letter to me; "I do not think that Mr. Fawkner was induced to fit out his exploring expedition from knowledge which may have oozed out from Batman's followers—aboriginal or European—for I believe that in those days he knew from the same sources as Batman all that was to be known of the country of Port Phillip, and that had circumstances favoured him, he would probably have been in Hobson's Bay as soon as Batman, instead of being there a short time after him."

WHERE DID MR. FAWKNER INTEND TO SETTLE?

So much has been said of that gentleman in connection with the Yarra, that the public have been led to believe that he came over expressly to form a settlement upon this river. So often and so publicly has he derided the idea of any other place being suitable for a colony, and so often and so publicly asserted the claims of his own party directly, and himself indirectly, for the first and real re-discovery, for settlement purposes, of the river, that it would appear absurd to suppose any other site was entertained at all. But what says history?

Two ideas of place, and, apparently, two only, were prominent in the mind of Mr. Fawkner:—the site of the old settlement of 1803, just inside Point Nepean of Port Phillip Heads, and that of the old settlement of 1826, in Western Port. The first was abandoned in 1804, after a few months' trial; and the other, attempted from Sydney, was equally unsuccessful. Both were convict colonies, under Government control.

It was natural that Mr. Fawkner, who accompanied his father to Port Phillip in 1803, should like to revisit the old spot. Doubtless a gleam of ambition stole across his thoughts, that he might be the successful reviver of a colony so ignominiously deserted. No one could have bestowed more ridicule and contempt upon an effort than he upon this signal failure. He has shown up the stupidity of the official plans, the ignorance of the country, the wilful negligence of the authorities, and the cowardice of retirement. He has laughed at the selection of barren sands and waterless wastes, and has in plain terms asserted that the Governor acted thus to obtain five hundred pounds' compensation, to be given him by Government if obliged to change his position. He declares that Colonel Collins only staid long enough to prove the unsuitableness of Port Phillip, and gain information of the banks of the Derwent. And yet this was the spot in the mind of the reputed Father of Melbourne.

He knew, however, reasons for such a view. In the first place he saw a powerful confederacy already esta-

blishing itself on the western side of Port Phillip Bay, from the Heads to the Yarra, with *presumed* vested interests in the soil, and *believed* to be such by himself at that time. This left the eastern side of the bay free for any one.

But there was another reason. The presence of Arthur's Seat, and mounts Martha and Eliza, gave a guarantee of fresh water, the great desirability, and a promise of tolerable land. I have heard Mr. Fawcner say that he remembered, as a boy, that the first settlement got timber from Arthur's Seat, that the vessels watered at its base, and that the report of good soil there was credited. There was, therefore, nothing unreasonable in the selection of Point Nepean side for a colony.

But in favour of Western Port there were even stronger arguments. The Launceston men knew much of that district from sealers, who, though not gifted with farming observations, knew the virtue of fresh water, and appreciated the general look of a park-like country. Many years ago, my friend Captain Sinclair told me of Mr. Griffith's ship *Ellen*, of Launceston, sealing in the Straits, going into Western Port as early as 1825, and shooting wild cattle there. The very abandonment of the settlement, attempted in 1826, seemed rather favourable than otherwise to fresh projects. Colonists have not much faith in such governmental enterprises, and are ready to believe that their failure arises less from the country's fault than the management.

There was yet another strong reason. Mr. Fawcner knew that eight years before this Mr. Batman had got Mr. Gellibrand to join him in an application to the Sydney Government for permission to settle at Western Port. Although the government gave no encouragement, and the project was abandoned, Mr. Fawcner knew that so good a judge as Mr. Batman was worth following. As, therefore, he followed in his wake in coming to Port Phillip, he had intended evidently to have carried out the shrewd Batman's plans about Western Port. The vessel, therefore, of the Launceston six passed over to Western Port. Mr. Fawcner's account refers not merely to Western Port, but to the Point Nepean side of our bay."

"The *Enterprise* was conducted by Captain Hunter, as

master of the vessel, along the southern channel, and the men landed each day to examine the country from five to ten miles inland, the vessel only mooring a short distance until they returned on board, and pushing a few miles further by night, in order to examine new lands the next day. *No eligible spot was found on the east side of Port Phillip Bay.*"

This thoroughly coincides with the account given by Mr. George Evans to me. It clearly proves that there was no intention to come within the boundaries of the Batman Association. Not until the party found themselves on the beautiful banks of the Yarra, after failing *everywhere* else in finding good land and fresh water, did they make up their minds to dare the rights of the others, and seize what they could. But of all this resolution, Mr. Fawkner was in utter ignorance, as he was then in Launceston, believing his friends to be, perhaps, in Western Port. For Mr. Arden, in his History of Port Phillip, says:—"They first directed their course to Western Port; but as the natives there were not sufficiently obliging to meet the strangers and sell them their right of property to the adjacent lands, and as the country and port were not so inviting as was expected, the *Enterprise* bore up for Port Phillip." Captain Robson also mentions it in his story of the *Enterprise*:—"She had been bound to Western Port to form a settlement there, but went into Port Phillip instead. Mr. Fawkner was not on board."

But Mr. Fawkner himself, in 1853, gave so circumstantially a statement of this Western Port exploration that it must be mentioned here:—

"Landing one of his horses at George Town, John Pascoe Fawkner proceeded overland to Launceston, and the *Enterprise* passed over to Western Port. This Western Port was to be carefully examined by a series of triangular marches each day, the bay forming the base, and ten miles or more was the distance they were to march inland, returning from four to five miles further west, or nearer the West Head, until the whole bay was examined. They entered Western Port on Saturday, the 8th day of August, and left it and passed into Port Phillip on Saturday, the 15th day of August. After carefully examining the lands around Western Port, and giving

them up as not likely to form a good site for any dense population, the *Enterprise* pushed out of Western Port on Saturday, the 15th of August."

In 1862, he distinctly writes, "I put the land party and instructions under the charge of Captain J. Lancey, one of the six associates, *directing them to visit Western Port first.*" Mr. Evans assured me that he was about the only one of the party able to form a judgment upon the character of the country they surveyed. As he, with the others, contemplated going sheep farming, that which was looked for was good grass and fresh water. These not being found, though he is perfectly ignorant concerning the triangular marches of five or ten miles inland, he counselled the movement westward to Port Phillip, to the other proposed place—Point Nepean.

The ultimate choice of the Yarra was an accident of the party, independent of Mr. Fawkner, unknown to him, and in opposition to his reputed instructions. He was not, at any rate, *designedly* the founder of Melbourne.

MR. FAWKNER'S STORY OF MR. JOHN HELDER WEDGE.

THESE two gentlemen are respectively honourable in their own colonies—the one being a member of the Victorian Council, and the other of the Tasmanian Parliament.

The attack upon Mr. Wedge was certainly unprovoked. He had never crossed the path of the Launceston settler, but had really advocated a liberal and manly course of treatment towards him. How far, after the lapse of many years, Mr. Fawkner drew upon his imagination for the incidents to which he refers so recently, it is not for the historian to discuss. At the time of penning the slander the object of it was at a distance, and was living, as he always had done, the consistent life of an honest and educated English gentleman.

In 1853 he published the following:—

"On Wednesday, late in the evening, Mr. John Helder Wedge, a Van Diemen's Land surveyor, came to

Melbourne, brought by the blacks in a whale-boat Mr. Batman had left at Indented Head. Strange to say, that, although he only came thirty miles and must have known that he would have to return, he trusted to our people's hospitality to feed him there and find him food for his return voyage, although he made the trip in order to warn off our party. He was also guilty of something very like double dealing; he got into conversation with Captain Lancey, who had charge from J. P. Fawcner of the direction of all matters on land concerning the adventure. Pumping (as it is called) him of all the occurrences of the trip, and stating that he was only out overlooking the country, that he was not interested, &c. &c. Although he was one of the greedy seventeen, he kept up his tone all the afternoon and the next day, until he had got a supply of food wherewith to return to the Indented Head, and then he changed his tone, told Captain Lancey and the other colonists that he had come expressly to warn them off, as the whole of the lands of Port Phillip had been bought and paid for by him and his co-associates (and a pretty medly lot they were) and finished by handing over to Captain Lancey a written order for him and all his party to leave their (the company's) landed estate. Captain Lancey handed the paper back to J. H. Wedge, telling him he might want such a piece for some necessary occasion, which would be the full worth of such a notice, not forgetting to tell him of the change in his story of the morning for the one at night, taunting him with his two-faced dealing."

In his "Reminiscences of Port Phillip," delivered as a lecture between 1862 and the present time, he went into further particulars, and agreeably entertained his audiences with another version of the story.

"But Mr. J. H. Wedge, under a pretence of being glad to see some fellow countrymen, obtained their confidence by pretending he had nothing to do with Batman or his co-partners. He thus wormed out the plan of proceeding of our party, obtaining ample refreshments for himself and boat's crew; and, after stopping one or more nights, upon going away, he handed to Captain Lancey, as manager, a written notice. Sorry I am that Captain Lancey did not retain it; it would

have been a curiosity. Now, in this notice, he warned our party off the land, claiming the whole country for himself and brother squatters. Lancey's reply was more brusque than polite. He told him to take it with him when next he had occasion for waste paper, adding, 'You are no gentleman, whatever your claims may be, for you distinctly lied to us yesterday. If what this paper conveys is true, you distinctly stated that you were not concerned in the company, obtained food for the time, and a supply to enable you to return to the Heads; and here you distinctly deny your yesterday's assertion, and after serving your turn of want out of our resources, you order us off the waste lands of this free country. Tell your confederates that Jack Lancey and his party treat your pretensions with contempt; and now be off, for fear your untruthful conduct tempts us to give you the deserts your lying tongue deserves.'"

This elaborate and circumstantial account requires a few observations. How strange it appears that Mr. Lancey should be so ignorant of Mr. Wedge, or so credulous of his tale, when he knew that the day before the *Enterprise* sailed, one of the association ships went out of the same harbour of Launceston, having on board thereof Mr. Wedge, as the recognised surveyor, in company with Mr. John Batman's brother Henry, and a full complement of working men, &c. How strange, too, that Mr. Fawkner should speak thus of one of the best-known members of that association of squatters, to oppose whose grasping policy, Mr. Fawkner says, was his main object in getting up his own little opposition party.

Mr. Fawkner, at the best, only goes by hearsay. Let us, then, take the word of one of the principals in the affair, Mr. Wedge himself. In one of his letters to me, dated May 24, 1856, he thus calmly and gentlemanly replies to Mr. Fawkner's charges:—

"They," alluding to some documents forwarded to me, "will show the degree of credit that is to be attached to that gentleman's statement, that I had exhibited a hostile feeling toward him. I should have allowed it to pass for what it was worth without notice, only that I think it due to the late Mr. Lancey

to say that I experienced nothing from him but politeness and civility, and *no coarse expression of the nature imputed to him by Mr. Fawkner was made use of in my hearing; and from my recollection of Mr. Lancey, I do not believe that he was capable of such gross vulgarity.*

"Now that the subject is brought to my recollection, I believe that I did, either by writing or verbally, communicate to Mr. Lancey that he had encamped on a portion of the land ceded, or then supposed to have been ceded, to the association to which I belonged by Mr Batman's treaty with the natives; and, in doing this, I believe that I expressed the hope that he would not interfere with us, and referred to the unoccupied land on the opposite bank of the river, as affording ample scope for the enterprise of 'himself and party. He took the communication in good part, and apparently assented to the propriety of my suggestion, and I think he said he would write to Mr. Fawkner upon the subject. I do not profess to state the precise words that were made use of by me on the occasion; but I can and do assert that in making the communication, it was with no unfriendly feeling toward Mr. Fawkner and his coadjutors."

"Before I conclude these remarks, there is one subject referred to by Mr. Fawkner which I will briefly advert to. That gentleman, it seems, has stated that I came down to warn them off, after seeing them come in; that I feasted at their expense on the Yarra, got provisions for my trip back, and then in a two-faced way turned round upon them, and ordered them off, &c. &c. What I have already said respecting my interview with Mr. Lancey will show the degree of credit due to Mr. Fawkner's statement in reference to what then occurred, and I have no hesitation in saying that his assertion—that I came down to warn them off, after seeing them come in—is *incorrect*, and altogether a misapprehension on his part. I had not the least idea, nor a suspicion, of the arrival of Mr. Lancey's vessel in the port; nor was I aware of such fact having occurred until my arrival on the present site of the city of Melbourne, as I explained to you in my former letter. I am glad of the opportunity of recording my thankfulness for the friendliness

evinced by the late Mr. Lancey by his hospitably supplying me and my small party with a meal and some provisions, to enable us to return by a circuitous route to my encampment at Indented Head."

But still further to show the baseless character of the charges brought by Mr. Fawkner, I give an extract from one of Mr Wedge's letters, written to me February 23rd, 1856, he then being wholly ignorant of the shameful slander so publicly and shamelessly made. Written when unconscious of what Mr. Fawkner had said of him, the language displays a kindly feeling towards the rival expedition, and bears a simple truthfulness upon the very face of it.

"The last journey I made was for the express purpose of ascertaining where the principal rivers discharged themselves into Port Phillip, with the view to determine the most eligible site for a permanent establishment. It was with no little surprise, on arriving at the place where Melbourne now stands, that I observed in the basin, just below where the Prince of Wales's Bridge spans the Yarra Yarra with its noble arch, a vessel quietly and securely moored. The sight was so unexpected that at the moment I fancied I had come upon an unknown settlement; and it was with no little interest and anxiety that I advanced to introduce myself to the party in charge of the craft. It turned out to be a vessel (I believe the *Enterprise*) belonging to Mr. Fawkner, which he had sent thither in charge of Mr. Lancey, to form an establishment, on the strength of Mr. Batman's favourable report of the country.

"She had crept into the Port, and proceeded up the Yarra Yarra, unobserved either by the party left at Indented Head by Mr. Batman, or by the tribe of natives who were also encamped with them. The *Enterprise* (if that was her name) was certainly the first vessel that had ever worked her way up to where the Queen's Wharf has since been built. It was on this occasion I gave the river the name of 'Yarra Yarra,' from the following circumstance:—On arriving in sight of the river, the two natives who were with me, pointing to the river, called out, 'Yarra Yarra,' which, at the time, I imagined to be its name; but I afterwards learnt that

the words were what they used to designate a waterfall, as they afterwards gave the same designation to a small fall in the river Werribee, as we crossed it on our way back to Indented Head."

"On my return to my head quarters, I immediately broke up the establishment, and removed it to the north bank of the Yarra Yarra, and encamped, if not at the very place, not far from where St. James's Cathedral now stands."

Having received a letter from the Hon. J. H. Wedge, dated Leighland, Tasmania, Nov. 16, 1866, I am able to give a reiterated detail of the facts. It is in reply to Mr. Fawkner's lecture.

"There is some truth mixed with misrepresentation in what he says of myself, the latter very much predominating. I had neither a boat nor boat's crew with me, having travelled by land from Indented Head round by Geelong, passing to the west of Station Peak, crossing the Werribee a little to the southward of Mount Cotterell, the Saltwater river about a mile above the flow of the tide, and then straight to the present site of Melbourne; so it is obvious that I had no boat's crew. In fact, my party consisted of only one white man, two Sydney natives, and two of the Port Phillip aborigines. I never *pretended* that I had nothing to do with Batman and his party in my interview with Mr. Lancey. As to 'worming out the plan of the proceedings of the party,' I was not then, nor am I now aware that there was anything to 'worm out.' I took it for granted that their plan was to take possession of land as squatters. I received nothing but civility from Mr. Lancey; he receiving in good part the written paper I gave him, explaining that Batman had secured the land on the north side of the Yarra from the natives, and requested him not to interfere with it. I believe it was on this occasion that Mr. Lancey told me that they were going to take possession of land on the south side of the Yarra. There was certainly no bad feeling evinced by Mr. Lancey by the use of such language, as imputed to him by Mr. F. In fact, it is *purely the invention of his own refined mind!*"

THE CAPTAIN'S STORY.

THE most important testimony of a living witness has just been furnished me by my talented friend—the Rev. R. K. Ewing, Presbyterian minister, Launceston. At my request, he got the subjoined account from Captain Robson, the then mate of the vessel that brought our hero, John Batman, to these shores. The clergyman prefaces the story with these remarks:—“The following statement was made to me by Robert Robson, on 27th September, 1866. I wrote it from his dictation. No questions were put by me. I let him tell his tale in his own way. Before he began I merely gave him directions to introduce nothing round-about, and in as few words as possible to give me what he knew of the time and circumstances connected with the late Mr. Batman's visit to Port Phillip (now Victoria.)”

As this tale is told thirty years after the transaction recorded, allowance must be made for some lapse or corruption of memory. No one, perhaps, could defy critical examination of a relation made so long a period after date. With this apology, let the captain have his simple story.

“I left in the *Rebecca*, in April, 1835, from Launceston for Port Phillip. On board were some Sydney natives, three white men called Alexander Thomson, James Gumm and William Todd. Mr. Batman was on board. The vessel was chartered by him for six months. She was twenty-three tons. The crew consisted of four men and myself. I was mate, and afterwards master of her. At this time, Mr. Fawkner had not visited Port Phillip, as * * *

We reached Port Phillip about the very end of April or the beginning of May, and first landed on Indented Head, near Queenscliffe. We saw many footprints in the direction of where Geelong now is, to which place we went first. In beating up to Geelong at night, we saw a fire—that is, we went on board after seeing the footprints, and beat up to Korora (Corio) Bay that night, landed at two o'clock in the morning up to our middle in water, Batman and I. We reached the native fire before daylight, but the natives had gone. The next day Batman tried to cross the Barrabool Hills, but was

driven back by a hailstorm. There were forty-two natives at Geelong, all women and children, who told us all the men had gone up the country to a fight. We went on board again, and brought up at Williamstown, that is, where it now is. We landed next day, in the morning, at the upper side of Saltwater Creek, three white men, the Sydney natives, and Batman, who carried his swag the same as the rest, all armed. They were away five days and could not find the natives, and returned on board. We stood out in the bay to see if we could see any smoke; saw some; took bearings and landed next morning. The second day after the landing saw an old man and woman. We caught them, gave them presents, and in about two hours they showed us the natives, about five or six hundred. The natives yelled, showed fight, and tried to surround us. The old man and woman spoke to them, and they at once put up their spears in a heap. Batman then made friends with them, and remained two nights with them. He came on board again with the shore party. We entered the Yarra, and watered near where Melbourne now is; then sailed for Indented Head, intending to make the settlement where Melbourne now is as soon as Batman could get more persons there. We left three white men, four blacks, a whaleboat, and stores, with instructions to build a sod-hut, loopholed and roofed with sods, and to be kind to the natives and allow them provisions—a pound a-day. Buckley then came. He had heard in Western Port white men were there, and made his way round. This was after Batman had sailed for Launceston, after leaving the men, and food and boat. We returned to Port Phillip in about three weeks, and took in a large quantity of fruit trees; landed at Indented Head. We took over also about thirty men. We left Launceston this time, I think, about latter part of June, 1835. Henry Batman and family were with us. He was to be managing man on shore. Batman was to go the trip on Indented Head. We landed all we had, and came back to Launceston. We saw Buckley on this visit; he had then left the natives and taken up with the whites. After landing what we had on Indented Head, we left for Launceston; and during our passage the *Enterprise* entered Port Phillip Heads. She had

been bound to Western Port, to form a settlement there, but went to Port Phillip instead. Mr. Fawkner was not on board. He had heard from Batman himself about the glowing country of Port Phillip. The master of the *Enterprise*, Mr. Hunter, had heard from myself the particulars of the Yarra, and about fresh water. About a month after we went over again; Mr. J. H. Wedge was with us at this time. We removed Mr. Batman and other persons, and property, and a number of natives, from Indented Head to where Melbourne now is. Mr. Fawkner and his men were there then. The natives we took off from Indented Head were the first they had seen. Batman put up a hut on the rising ground on the western side of the river, at some distance from the bank. Fawkner had a hut not far off on the same hill. All my personal knowledge of Mr. Batman on the voyage I had with him, the landing of natives, and exploring, was this: of a *kind-hearted, heroic, and truthful man*. BATMAN PAVED THE WAY FOR FAWKNER, and it was the knowledge of water, from Batman and party, they got, which induced Fawkner to try the Yarra. He knew nothing of it till he heard of it from Batman and his party. Henry Batman and Fawkner quarrelled at the trickery of Fawkner in taking advantage of the information he had got, and going to the Yarra, when Batman was preparing on the Indented Head to go and form the settlement where Melbourne now is. He had waited, after having been, as I have said, up the Yarra, at Indented Head to get the party. * * * * He wanted more strength, so as to be safe from the natives, before he settled down and left Indented Head.

(Signed)

“ROBERT ROBSON.”

“I hereby testify that the foregoing statement I wrote from the declaration of Captain Robson; that I did not prompt him by asking any leading questions; that I let him tell his own tale; that he is a person of good character, usually regarded as a man of truth; that he is a very intelligent man, and that his manner bore all the appearance, in telling his tale, of earnestness and veracity.

“R. K. EWING, Presbyterian Minister.

“Launceston, 27th Sept., 1866.”

MR. GEORGE EVANS IN MELBOURNE.

HAVING had several conversations with this aged pioneer of the colony, I feel no hesitation in saying that his honest-looking countenance, his frank simplicity, and his general consistency of narrative would strongly incline one to faith in his tale of the past.

The old man has evidently sought a quiet and unobtrusive career; and, without the qualifications for public dignity, has had the sound sense to pursue the even tenor of his way. This very placidity, so removed from ambitious resolves, has kept his name from becoming a household word in Melbourne, on whose primitive soil he erected the *First Hut of Civilisation*.

Our worthy is no juvenile. Sixty-five years ago he fought under the victorious flag of Nelson, at Copenhagen, and having known Colonel Arthur at home, he was led to follow that gentleman when placed as Governor of Van Diemen's Land. As a mechanic, he naturally took to his trade upon arrival in the *Isle of Beauty*. He was a bricklayer, as Buckley, the Wild White Man, had been. An industrious and prudent man, he gradually prospered. In that aboriginal period of colonial history cash was not very plentiful, and George Evans found himself with a nice flock of sheep, besides sundry cows and horses, taken in barter for labour. Through the influence of Major Abbott, commonly called Judge, the Commandant of Launceston, he procured a free grant of land on which to depasture his woolly charge. But he, like many others, deploring the want of more extensive grass in the island of rock and scrub, sighed for fresh meadow lands.

It was at this time that Mr. Batman went on his interesting mission to Port Phillip. Others had *hoped* there might be a sheep country across the straits, but he had the courage and enterprise *to go and see*. Some jeered at him for his folly or smiled at his simplicity; but all waited with avowed or secret interest the return of the bold adventurer.

It was early in June, 1835, that a company met, as usual, to gossip in the parlour of the "Cornwall Hotel," in Launceston, while discussing the good liquor of the landlord, Mr. John Pascoe Fawcner. George Evans

was among the number. All at once John Batman walked into the room. Throwing up his arms, he exclaimed, "I am the greatest landowner in the world." Seating himself in the midst, he told Mr. Fawkner and his customers the story of his trip to Port Phillip, his discovery of magnificent pastures, and his large purchase of land from the natives.

Such a story of an Eldorado had never before burst upon the colonial ear. No wonder then that our brick-laying friend turned to the landlord and cried, "Well, Fawkner, what do you say about going to Port Phillip?" Others were equally smitten, and two respectable tradesmen, Messrs. Samuel and William Jackson, agreed to join the other two in the venture. Mr. Fawkner had got a small ship for about £150, and determined to go with two working men in his employ. Mr. Evans engaged a servant man, one Evan Evans, who subsequently had the honour of making the first pair of boots for Buckley after his release from the blacks. A blacksmith was to be the only favoured man to take a wife, the pair being engaged by the spirited landlord.

No partnership existing, each was to pay for his passage in the *Enterprise*, and also was to render mutual assistance. Mr. Fawkner hoped for trade in the forthcoming settlement, and Mr. Evans sought a run for his flock. Captain Lancey went in the interest of Mr. Fawkner, but Captain Hunter was responsible for the vessel. Three sailors and the wife of one man (the blacksmith) accompanied the party.

They left Launceston, sailing slowly up the Tamar. On arriving off George Town, they found the sea rather rough, and the wind decidedly contrary. Mr. Fawkner was seriously inconvenienced by the motions of the little craft, and entreated to be put ashore. The others objected to the delay, but the captain, obedient to command, respected the orders of the owner, and ran back to land. Putting off immediately they bade farewell to their mate, who, throwing up his arms, gave his parting blessing and direction in these words, "Go on, my lads, do the best you can, but look out for fresh water."

On went the adventurers, and gained the opposite land of New Holland. When creeping up Port Phillip

Bay, they were hailed by a boat which put off from Indented Head, and Henry Batman, in the absence of his brother, gave the intruders orders to move off from the new company's territories. To the question, "Where are you going to?" they returned the simple reply of, "We don't know ourselves." Evans and others were for going on; but the prudent, quiet Captain Hunter was for peace and retirement. Turning to his companions, he said, "I have often been into Western Port gathering bark, let us go there and be first settlers." Accordingly, they turned towards the ocean again, and entered Western Port. Mr. Evans, whose object was squatting, saw the soil would never suit his purpose, and the grass was poor and coarse. That place would never do. The gentle Hunter yielded to the pressure, and agreed to run the blockade of Port Phillip, and dispute the monopoly of our fair pastures.

They looked on the east and on the west, but did not like the country. They reached, at last, the point we now call Williamstown, and anchored. Getting out the whale-boat, and going ashore, the rocky appearance of the places again disheartened them. But there was Saltwater River, and they may do better there. The soil pleased them, but the parting injunction of Mr. Fawcner about freshwater made them turn reluctantly and disappointed to the ship. Next day Evans and some others resolved to follow up the other stream which made a junction with the Saltwater River. After rowing a few miles between the mangrove banks, they sighted the beautiful rises of Melbourne, Batman's Hill, and Emerald Hill, with glorious pastures in the flats below. Better than all, a reef of rocks ran across the river, stayed the advances of the salt tide, and gave these weary mariners a delicious draught of fresh water. "Here," said they, "is the very place, and here we will stay." With the aid of their two boats they brought the *Enterprise* up the Yarra, and laid quietly beside what is now the wharf of Melbourne.

The joyful news must be carried home at once to Launceston. Captain Lancey was to stay with Mr. Fawcner's two men in charge of Mr. Fawcner's interests. Mr. George Evans and his man—Evan Evans—remained also. Mr. Marr, a publican, re-

turned to look after his business. While the others were content with a tent, Evans, as a builder, resolved to have a house. They constructed a sod hut. While putting on the grass for a roofing, a herald appeared. "What do you here?" was the cry. "I have as good a right here as you," was the reply. "But," added Mr. Surveyor Wedge, all this land belongs to John Batman and the association. I go by the chart." "Well; and I go by the chart," said George, meaning the ship's chart. "But come along, old fellow," continued he, "come and have a bit of bread and cheese and a drop of grog." The entertainment followed. They separated as friends, though the surveyor gave the party written notice to quit, and Henry Batman came across and erected on Batman's Hill his post of observation over against the intruders.

All knew now that there would be a rush to this land of promise, already, in imagination, flowing with milk and honey. Our friend George prepared to start back to get his sheep from the island colony. One of the association's crafts was returning for stock, but would not suffer such a Jonah as he to have a passage. He was forced to wait, but not long, for the brave news had caused a regular stampede for Port Phillip. Every one who had a few pounds and some sheep hastened with a tub of a vessel across the Canaan. In one of these little schooners Mr. Evans got safely home again.

Now came more adventures to the *Original Yarra Settler*. An English brig, the *Chili*, arrived from London, was engaged to carry stock, partly by Messrs. Jackson and Evans and partly by Batman's Association. Just leaving the port, a vessel came in from Europe. The captain of the *Chili*, expecting important news, turned right about for his letters, and in his haste and ignorance ran upon some bank. To lighten the ship, the sheep were pitched overboard, and many were drowned in the attempt to reach the shore. When the brig was extricated from her perilous position, the bricklayer-cum-squatter got away with his little flock.

On arrival at the Yarra he found a great change. The land at the foot of Batman's hill had been ploughed and sown by Mr Fawkner's men; and, by the time of

that gentleman's first appearance here, a fine crop greeted his eyes.

Then began the famous feud of Batman and Fawkner. Evans and the others sought the country pastures. But the two opposing chiefs remained in strife. One sought to retain his assumed possession by right of treaty with the natives, on behalf of the Port Phillip Association. The other, with an eye to business, in conveying goods and passengers to and fro from the point, now Williamstown, resolved to stay. However, hostilities were suspended a while by the payment of twenty pounds compensation. For this Mr. Fawkner abandoned his claim to the northern shore, relinquished his crops, and retired to the south side, where he at once drove in the plough and raised wheat on the flat by Emerald Hill; though seeing afterwards that others braved the Batman rights, he crossed again, and put up his hut in Melbourne.

Such is the story told me by the old settler. Other information obtained from him may be seen in the author's work on the life of "Buckley, the Wild White Man."

MR. SAM'S PART IN THE SETTLEMENT.

HAVING received a communication from the worthy and respected Under-Sheriff of Launceston, William Jardine Sams, Esq., giving his story of the Port Phillip enterprise, I gladly lay it before the public. Though the circumstances may appear both homely and trivial, all who value historical truth will appreciate a record, even of the domestic character, which will throw light upon the beginning of our colony. How much before this Mr. Batman had thought of the affair Mr. Sams stays not to inquire; his purpose is to speak of his own connection with the movement. Here is the tale.

"At the latter end of the year 1834 the late Mr. John Batman, who was then the owner of a very fine estate in this colony, 'Kingston,' near Ben Lomond (a mountain 5019 feet high,) invited a party of friends to his house, I being of the number. We there found that preparations had been made for an excursion to ascend Ben Lomond, and on the summit of that majestic mountain to pass the last night of the year 1834 and welcome

the sun's rising on the new year. Three or four days were to be occupied in the excursion, preparations for our comfort and enjoyment having been previously made by our kind host, aided by a party of New South Wales natives, ten or twelve of whom had been brought from Sydney by Mr. Batman, and were domiciliated on his estate. On the second day the party gained the top of the mountain with the exception of Mr. Batman, who had stayed behind at a resting place, two-thirds of the way up the mountain, with three or four of his natives, his youngest child and its nurse (all his children, eight in number, were of the party) intending to follow us up, after having rested awhile. When the sun was fast sinking, and we were anxiously expecting Mr. Batman, two sable messengers arrived, bearing a note from their master to Mrs. Batman, the purport of which was to inform her that he had been seized with illness, and requested her to go to him. Wherefore Mrs. Batman immediately left the party, I accompanying her, guided by the two natives, who each carried a fire stick, the night being very dark. After a long and perilous descent we reached the resting-place, and there happily found Batman comparatively well, he having been attacked with cramp in the stomach, which had so seriously alarmed him as to induce the summons for his wife.

"A fire having been lighted a short distance from the camping ground, where Mrs. Batman, with the child and its nurse passed the night, Batman and I sat by the fire, whiling the time away in conversation on our several prospects in the colony. It was then that I first heard Port Phillip spoken of as a desirable place for a settlement, Batman telling me that when he was in Sydney he had heard from a schoolfellow (Hamilton Hume, who with Captain Hovell, had explored the neighbourhood of Port Phillip) that the country there was of the finest description, and that this information had dwelt on his mind, and made him anxious to verify the truth or otherwise of the report. It then occurred to me to suggest the formation of a company, in order that the expenses incidental to the exploration should be light, when borne by a number. This idea was at once agreed upon, and forthwith proceeded with.

"The following are the names associated:—*John Batman, Charles Swanston, Joseph Tice Gellibrand, James Simpson, John and William Robertson, *John Helder Wedge, *Anthony Cotterell, George Mercer, Thomas Bannister, *Henry Arthur, John Sinclair, John Thomas Collicott, Michael Connelly, and *William Jardine Sams. (Those names at which I have placed a * were of the party on the mountain.) Batman very shortly after began to make preparations for the expedition, and on the 12th May, 1835, he sailed for Launceston on board the schooner *Rebecca*, taking with him three white men and seven of his New South Wales natives. I accompanied them a few miles down the river."

"On landing he came to my house. It was then evening. I very naturally looked to be informed of the results of the expedition, but Batman would not satisfy my curiosity that night, except on the condition that I accompanied him home, which I did. We arrived there about three o'clock in the morning, after a frightful ride of upwards of thirty miles through incessant rain and darkness, much of the way by wild bush tracks. After having changed our wet clothes and taken refreshment, Batman then related the whole of his proceedings from the day of his departure, referring from time to time to his diary."

This account I esteem greatly, because derived from a gentleman of methodical, official habits, keeping notes, and accustomed to observe with intelligence, and express with caution and exactness. He possessed educational advantages not favoured to George Evans, and his recital is, therefore, more valuable for its precision.

THE PORT PHILLIP ASSOCIATION.

ABOUT this celebrated company that established, through Mr. Batman, the colony of Port Phillip, now Victoria, some obscurity of origin is to be noted. All admit that John Batman was the ruling spirit—the moving soul of the adventure; but a difference exists as to the proportion of credit due to other members. Mr. ex-Sheriff Sams, of Launceston, talking with our hero about the

trip when going up Ben Lomond. Mr. Wedge had made definite arrangements as soon as any, perhaps. Mr. Robertson of Hobart Town, now of Colac, in a drive one day, urged Batman to prompt and decisive action, and that before the arrangements for the Dutigalla Association were formed.

No formal engagement took place until after Mr. Batman's return from Port Phillip, in June, 1835. Even then the Association seemed active only to procure, if possible, Government sanction to their contemplated movement. With this view, Mr. Gellibrand drew up what is called Mr. Batman's account of his visit, extracted from, and manufactured out of, the explorer's simple story in his journal; and this well-prepared letter was duly laid before the Governor. Armed with it, also, the deputation of Messrs. Gellibrand, Batman, &c., went to Sydney to seek the aid of the king's representative there.

The Association addressed the following letter to Lord Stanley, then principal Secretary for the Colonies. Without space for the whole correspondence, room must be made for this first and most interesting document:—

“Hobart Town, 27th June, 1835.

“My Lord,—We have the honour of enclosing copy of a report made by Mr. Batman, to his Excellency Governor Arthur, detailing the result of an expedition conducted at our joint expense, to Port Phillip, on the south-eastern extremity of New Holland, for the purpose of effecting a conciliatory intercourse with the native tribes in that part of the country, and afterwards of purchasing from the chiefs, upon equitable principles, a portion of that territory for pastoral and agricultural purposes.

“We are fully persuaded that the perusal of that report will clearly demonstrate that an intercourse has been established by our means, which promises the most happy and philanthropic results, and that the portion of the country granted to Mr. Batman, as our representative, has been obtained upon terms more equitable and just to the aboriginal possessors of the soil than any which the history of the British plantations can produce.

“We have not contented ourselves with merely pur-

chasing the land in the first instance; but we have reserved to the chiefs an annual tribute for ever, of the value of at least £200. By means of this annual tribute the friendly intercourse with the natives must of necessity be kept up, and will lead to gradual civilisation.

"This tract of country is some hundred miles beyond the jurisdiction of New South Wales, but within the imaginary lines leading from the Australian Bight to the Gulf of Carpentaria, and which define the limits of Australia.

"We might, therefore, have contented ourselves with this treaty with the aboriginal tribes, and quietly have taken possession of this land, without any official notice either to the British or Colonial Government; but, in the first instance, we were desirous of communicating the happy results which have attended the intercourse with the natives; and, in the next place, of at once apprising His Majesty's Government of the nature of the grants which have been obtained, and the terms under which the land has been granted, because we feel confident that, having obtained from the chiefs of the tribes—who are in fact the owners of the soil—a title based upon equitable principles, the Crown will, under your Lordship's advice, relinquish any legal point of constructive right to the land in question, especially as the destruction of our title would be taking away from the natives the tribute which is thus secured to them for ever.

"We therefore with confidence appeal to your Lordship to advise the Crown to grant to us such rights as the Crown may be advised that it possesses to the tract of land in question, upon such equitable principles as your Lordship may conceive the justice of the case requires.

"We have the honour to be, &c.,

"G. SWANSTON.

T. T. GELLIBRAND.

W. J. SAMS.

T. & W. ROBERTSON.

JAMES SIMPSON.

THOMAS BANNISTER.

JOHN BATMAN.

JOHN THOMAS COLLICOTT

JOHN H. WEDGE.

JOHN SINCLAIR.

ANTHONY COTTERELL.

HENRY ARTHUR.

MICHAEL CONNELLY.

GEORGE MERCER."

In the meanwhile rival companies were forming to reap where Mr. Batman had sown. One, at least, in Hobart Town, and one, with Mr. Fawkner, in Launceston, together with many individuals, were prepared, and hasting away to the Elysian fields. Still pursuing then their correspondence, the Association rushed at last to the work of colonisation, and despatched surveyor, architect, workmen, flocks, and material to the scene. Mr. John Helder Wedge was surveyor and manager, as well as partner. The really esteemed and deeply lamented Dr. Thomson, late of Geelong, was the first catechist and doctor.

Much odium has been cast upon these gentlemen, especially by Mr. Fawkner, who calls them a grasping set of squatters, anxious to make Port Phillip what they had made of Van Diemen's Land—a sheep-walk for their own special benefit.

Let us look at this charge. So far from being squatters, almost all of them were professional men, tradesmen, or officials of Government. That they sought to procure land in an unoccupied country was a crime with which Mr. Fawkner stands equally chargeable. That they sought to benefit themselves by such an undertaking was no less a fact than the intentions of that same gentleman. But there the parallel ceases. The Association desired to act with deference to the laws; the Launceston party in defiance of them. The Association honourably and openly applied for official countenance and leave; the others heeded nothing of authority. The Association tacitly acknowledged the rights of the Crown in their appeal to Government; the rest were resolved to own no such loyalty. The Association, with chivalrous and righteous care, paid homage to native rights in the soil; the Fawkner party grasped and divided lots without a thought of such equity. The Association, with all their interestedness, provided for the welfare of the aborigines, and contemplated their advancement to civilisation and Christianity; the others derided such folly, and were bent only upon their own selfish purposes of aggrandisement and wealth.

Mr. Fawkner has chosen to stigmatise these gentlemen as creatures of Governor Arthur, and as carrying out his policy. He holds them forth—more especially

Mr. Batman—as toadies of the Government. That they were so cruelly disappointed in their hopes by the coldness and opposition of the officials is not the best evidence of their being creatures of the great authorities. Mr. Fawcner has again and again declared that Colonel Arthur was a shareholder, and that in the name of his lady, who afterwards sold her share to Mr. Mitchell. Tasmanian newspapers strongly deny the Governor's interest in the speculation. Certainly he took very little pains to get common justice done for the Association by the Home Government. The colonel's nephew—a personal friend of Mr. Batman's—was a shareholder.

Elsewhere, in the “Discovery and Settlement of Port Phillip,” the reader can refer to the interesting correspondence between the Government and the Association. From the first, the latter were disowned by the authorities, and ultimately had to yield their pretensions. Their treaty with the natives of Port Phillip was held invalid. It is easy to see why an arrangement with the feeble tribes of Australia should be worthless and improper, while that with the warlike and numerous Maories should be valued and acknowledged. Mr. Melville, in his authentic work on Australasia, admits the good offices of the Association, but shows how ready others were to take advantage of their enterprise, and ride upon their failure. “They had, it is true, no right according to English law to any possession, consequently others residing in Van Diemen's Land, learning how well adapted the place was for sheep-farming, followed their example, and before long a whole tribe of settlers poured down with their flocks and herds.”

The first trouble of the Association came from Sydney. It was the following positive prohibition of proceedings.

● PROCLAMATION.

“By His Excellency Major-General Sir Richard Bourke, K.C.B., commanding His Majesty's forces, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c. &c.

“Whereas it hath been represented to me that divers of His Majesty's subjects have taken possession of lands of the Crown, within the limits of this Colony, under

the pretence of a treaty, bargain, or contract, for the purchase thereof, with the aboriginal natives, now, therefore, I, the Governor, in virtue and in exercise of the power and authority in me vested, do hereby proclaim and notify to all His Majesty's subjects and others, whom it may concern, that every such treaty, bargain and contract, with the aboriginal natives, as aforesaid, for the possession, title or claim, to any lands lying and being within the limits of the Government of the Colony of New South Wales, as the same are laid down and defined by His Majesty's Commission, that is to say, from the Northern Cape, or extremity of the coast, called Cape York, in the latitude of 10 degrees 37 minutes south, to the southern extremity of the said territory of New South Wales, or Wilson's Promontory, in the latitude of 39 degrees $\frac{1}{2}$ min. south, and embracing all the country inland to the westward, as far as the 129th degree of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent to the Pacific Ocean, within the latitude aforesaid, and including also Norfolk Island, is void, as against the rights of the Crown; and that all persons who shall be found in possession of any such lands as aforesaid, without the license or authority of His Majesty's Government, for such purpose first had and obtained, will be considered as trespassers, and liable to be dealt with in like manner as other invaders upon the vacant lands of the Crown within the said Colony.

"Given under my hand and seal, at Government House, Sydney, this 26th day of August, 1835.

(Signed,) "RICHARD BOURKE.

(By His Excellency's command)

(Signed,) "ALEXANDER M'LEAY.

"GOD SAVE THE KING!"

In the meantime the Association sought the opinion of the highest legal authorities in Britain, as to the validity of their treaty with the aborigines. Mr. Burge was then considered the best counsel upon colonial law, and to him, as well as to Messrs. Pemberton and Follet, the question was referred.

After the citation of a number of cases, chiefly in

connection with English treaties with the American Indians, we have the following:—

“I am of opinion that the Crown can legally oust the Association from their possession. The enterprise manifested by the expedition, the respectability of the parties engaged in it, and the equitable and judicious manner in which they conducted the intercourse with the native tribes, and made their purchase, afford a strong ground for anticipating that the Crown would, in conformity with its practice on other occasions, on a proper application, give its sanction to, and confirm the purchase which the Association has made. Lord Hardwicke, in the case which has been referred to, expressed a very strong opinion that the possession of persons making these settlements ought to receive the fullest protection. There is no ground for considering that the lands comprised in this purchase are affected by the Act erecting South Australia into a Province, 4 and 5 W. IV., c. 75. They are clearly not within the boundaries assigned to the territory which is the subject of the Act, and therefore the Crown is not precluded from confirming the purchase. I am of opinion that the Association should make an application to the Government for a confirmation of the above purchase, and accompany it with a full communication, of not only all the documents now laid before me, but of every other circumstance connected with the acquisition.”

“WILLIAM BURGE, *Linc. Inn.*

“16th Jan., 1836.”

“We have perused the extremely able and elaborate opinion of Mr. Burge, and entirely concur in the conclusions at which he has arrived upon each of the queries submitted to us.”

“THOS. PEMBERTON.

“W. W. FOLLETT.

“Jan. 21, 1836.”

Some legislators warmly espoused their cause, and urged that similar colonising movements had elsewhere received official patronage; and that this, from the respectability of its members, the worthiness of its objects, and the success of its scheme, was deserving of favour and protection. After years of contest, some consideration was shown to the adventurers; they were

allowed; at the first land sale in 1838, to purchase lands to the west of Geelong at the then upset price of five shillings an acre, up to the extent of seven thousand pounds. That sum was to be allowed them as compensation for their outlay and loss in the foundation of the colony.

This was a poor return. Several of the Association have assured me that such an allowance left no margin, as the expenses far exceeded the sum named by Government. It is singular, that of the original fifteen in the Association, several took no part in the settlement, nor had further direct advantage from the good and early times of cheap grass. Poor Mr. Gellibrand, with his friend Mr. Hesse, were lost in the bush towards the Cape Otway country in 1837. His attached companion, Mr. Batman, survived him but two years. Worthy Dr. Thomson has but recently left us. Three-fourths of the Association are deceased. They who regard the squatter now, at ease in his possession, can but little appreciate the perils, privations, sufferings, and cares through which the pioneers of the colony had to pass. These who now enjoy their wealth well deserve their prosperity.

MR. BATMAN'S TREATY WITH THE NATIVES

THIS is too important a subject to be lightly treated and must, therefore, be fully discussed. We will first have Mr. Batman's story about it, as conveyed in his journal. Describing his native friends, whom he met not far from the site of Melbourne, on Saturday, 6th June, 1835, he thus proceeds:—

“After some time, and full explanation, I found eight chiefs amongst them, who possessed the whole of the territory near Port Phillip. Three brothers, all of the same name, were the principal chiefs, and two of them men of six feet high, and very good looking; the other not so tall, but stouter. The other five chiefs were fine men. After a full explanation of what my object was, I purchased two large tracts of land from them—about 600,000 acres, more or less, and delivered over to them blankets, knives, looking-glasses, tomahawks, beads, scissors, flour, &c. &c., as payment for the land; and also agreed to give them a tribute, or rent, yearly.

The parchment the eight chiefs signed this afternoon, delivering to me some of the soil, each of them, as giving me full possession of the tracts of land."

The Sunday journal contains:—"Detained this morning some time drawing up triplicates of the deeds of the land I purchased, and delivering over to them more property. Just before leaving, the two principal chiefs came and brought their two cloaks, or royal mantles, and laid them at my feet, wishing me to accept the same. On my consenting to take them, they placed them round my neck and over my shoulders, and seemed quite pleased to see me walk about with them on." "I had no trouble to find out their secret marks. One of my natives (Bungett) went to a tree, out sight of the women, and made the Sydney natives' mark. After this was done, I took with me two or three of my natives to the principal chief, and showed him the mark on the tree. This he knew immediately, and pointed to the knocking out of the teeth. The mark is always made when the ceremony of knocking out the teeth in the front is done. However, after this I desired, through my natives, for him to make his mark; which, after looking about some time, and hesitating some few minutes, he took the tomahawk and cut out in the bark of the tree his mark, which is attached to the deed, and is the signature of the country and tribe."

Only those who are acquainted with native habits in the wild state can appreciate the action of Mr. Batman. It is easy to sneer in ignorance of the customs of savage tribes. But let it be remembered that Batman had lived much among the aborigines. As a boy, he had been, as it were, brought up with them, in New South Wales. They were his constant companions in his bush excursions as a young man. He was so popular with them that not a few secrets would be imparted to him. His daughters informed me that he had been once admitted into some of their mysteries, and made a chief. Then in Tasmania, his long residence among the blacks there, his agreeable manners along with them, and his curiosity and enterprise, with many years' experience, his knowledge was beyond, perhaps, any man in the country. Though, therefore, his critics may not appreciate these apparently absurd rites, and may regard him

as a self-deluded enthusiast, or something worse, it is clear that there was a meaning in all that satisfied himself.

The deed, drawn up by Mr. Gellibrand, was intended, by its formal language, primarily to satisfy the scruples of the civilised. This was the treaty:—

“ Know all persons, that we, three brothers Jagajaga, Jagajaga, Jagajaga, being the three principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip, Monmarmalar, being the chiefs of a certain native tribe called Dutigallar, situate at and near Port Phillip, called by us, the above-mentioned chiefs, Irausnoo and Geelong, being possessed of the tract of land hereinafter mentioned, for and in consideration of twenty pair of blankets, thirty knives, twelve tomahawks, ten looking-glasses, twelve pair of scissors, fifty handkerchiefs, twelve red shirts, four flannel jackets, four suits of clothes, and fifty pounds of flour, delivered to us by John Batman, residing in Van Diemen’s Land, Esquire, but at present sojourning with us and our tribe, do, for ourselves, our heirs, and successors, give, grant enfeoff and confirm unto the said John Batman, his heirs and assigns, all that tract of country situate and being in the Bay of Port Phillip, known by the name of Indented Head, but called by us Geelong, extending across from Geelong harbour about due south for ten miles, more or less, to the head of Port Phillip, taking in the whole neck or tract of land containing about 100,000 acres, as the same hath been before the execution of these presents delineated and marked out by us, according to the custom of our tribe, by certain marks made upon the trees growing along the boundaries of the said tract of land, with all advantages belonging thereto, unto and to the use of the said John Batman, his heirs, said tract of land, and place thereon sheep and cattle, yielding and delivering to us and assigns, to the meaning and intent that the said John Batman, his heirs and assigns, may occupy and possess the same, and our heirs and successors the yearly rent or tribute of fifty pair of blankets, fifty knives, fifty tomahawks, fifty pair of scissors, fifty looking-glasses, twenty suits of slops or clothing, and two tons of flour. In witness thereof we Jagajaga, Jagajaga, Jagajaga, the three principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip, and

Monmarmalar, the chiefs of the said tribe, have hereunto affixed our seals to these presents, and have signed the same. Dated, according to the Christian era, this 6th day of June, 1835.

Signed, sealed, and delivered in the presence of us, the same having been fully and properly interpreted and explained to the said chiefs.

(Signed)
JAMES GUMM,
WM. TODD.

JAGAJAGA, his x mark.
JAGAJAGA, his x mark.
JAGAJAGA, his x mark.
COOLOOLOCK, his x mark.
BUNGARIE, his x mark.
YANYAN, his x mark.
MONMARMALAR, his x mark.

(Signed) JOHN BATMAN.

Be it remembered that on the day and year within written, possession and delivery of the tract of land within mentioned was made by the within-named Jagajaga, Jagajaga, Jagajaga, Cooloolock, Bungarie, Yanyan, Moowhip, Monmarmalar, chiefs of the tribes of natives called Dutigallar-Geelong, to the within-named John Batman, by the said chiefs, taking up part of the soil, and delivering the same to the said John Batman in the name of the whole.

In presence of
(Signed)
JAMES GUMM,
ALEXANDER THOMSON,
WM. TODD.

JAGAJAGA,
JAGAJAGA,
JAGAJAGA,
COOLOOLOCK,
BUNGARIE,
YANYAN,
MOOWHIP,
MONMARMALAR.

Know all persons, that we, three brothers, Jagajaga, Jagajaga, Jagajaga, being the principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip, and Monmarmalar, also being the chiefs of a certain native tribe called Dutigallar, situate at and near Port Phillip, called by us the above mentioned chiefs Tramoo, being possessed of the tract of land thereafter-mentioned, for, and in consideration of twenty pair blankets, thirty tomahawks, one hundred knives, fifty pair of scissors, thirty looking-glasses, two hundred handkerchiefs, and one hundred pounds of flour, and six shirts, delivered to us by John

Batman, residing in Van Diemen's Land, Esquire, but at present sojourning with us and our tribe, do, for ourselves, our heirs and successors, give, grant, enfeoff, and confirm unto the said John Batman, his heirs and assigns, all that tract of country situate and being in Port Phillip, running from the branch of the river at the top of the port, about seven miles from the mouth of the river, forty miles north-east, and from thence west forty miles across Tramoo downs or plains, and from thence south-south-west across mount Vilumarnatar to Geelong Harbour, at the head of the same, and containing about 500,000, more or less acres, as the same hath been before the execution of these presents delineated and marked out by us, according to the custom of our tribe, by certain marks made upon the trees growing along the boundaries of the said tract of land, to hold the said tract of land, with all advantages belonging thereto, unto and to the use of the said John Batman, his heirs and assigns for ever, to the intent that the said John Batman, his heirs, and assigns, may occupy and possess the said tract of land, and place thereon sheep and cattle, yielding and delivering unto us, our heirs and successors, the yearly rent or tribute of one hundred pair blankets, one hundred knives, one hundred tomahawks, fifty suits of clothing, fifty looking-glasses, fifty pair scissors, and five tons of flour. In witness thereof, we Jagajaga, Jagajaga, Jagajaga, the above-mentioned principal chiefs, and Cooloolock, Bungarie, Yanyan, Moowhip, and Monmarmalar, the chiefs of the said tribe, have hereunto affixed our seals to these presents, and have signed the same. Dated according to the Christian era, this 6th day of June, 1835.

Signed, sealed, and delivered in the presence of us, the same having been fully and properly interpreted and explained to the said chiefs.

(Signed)
JAMES GUMM,
ALEXANDER THOMSON,
WM. TODD.

Signed on the
6th June, 1835.

JAGAJAGA, his x mark.
JAGAJAGA, his x mark.
JAGAJAGA, his x mark.
COOLOLOCK, his x mark.
BUNGARIE, his x mark.
YANYAN, his x mark.
MOOWHIP, his x mark.
Banks of Batman's Creek,
JOHN BATMAN.

Be it remembered, that on the day and year within written, possession and delivery of the tract of land within mentioned, was made by the within named Jajajaga, Jagajaga, Jagajaga, Cooloolock, Bungarie, Yanyan, Moowhip, and Monmarmalar, chiefs of the tribes of natives called Dutigallar-Geelong, to the within named John Batman, by the said chiefs taking up part of the soil, and delivering the same to the said John Batman in the name of the whole.

In the presence of
(Signed)

JAMES GUMM,
ALEXANDER THOMSON,
WM. TODD.

JAGAJAGA.
JAGAJAGA.
JAGAJAGA.
COOLOOLOCK.
BUNGARIE,
YANYAN.
MOOWHIP.
MONMARMALAR.

The territory thus purchased included all the western side of Port Phillip Bay.

"What an absurdity!" cry ninety-nine out of one hundred. That great friend to Australia, Dr. Lang, who has hit all round in his time, and who invariably speaks out his mind in the most direct manner, looking with a common-sense glance upon the treaty, calls it "not merely a literary curiosity, but a singular instance of the hallucination which an overweening regard for one's interest will sometimes produce even in men of superior standing and intelligence; for the supposition that such a transaction as the following document records could be sanctioned for one moment by the Government of any civilised country in the present age is in every respect worthy of a lunatic asylum."

The doctor is right. In this age of diplomacy and strong governments a treaty with savages is absurd. And yet there were precedents for such folly. To give money to the natives would certainly have been useless; and to give powder, shot, muskets, and rum—the usual articles of barter with aboriginal tribes—would have been unchristian, and wholly unworthy the members of the Association. Most colonists are aware of the purchases of land in New Zealand for questionable articles, and yet the British Government entertained some of these claims. Going to the American continent, we learn that

at a sale of land at Guilford, in 1639, the chief received twelve coats, twelve fathoms of wampum, twelve looking-glasses, twelve pair of shoes, twelve pair of stockings, twelve hatchets, four kettles, twelve knives, twelve hats, twelve porringers, and twelve spoons. In 1728 forty-eight square miles were sold by a tribe of Indians for four guns, eight coats, ten shirts, ten pair of stockings, four kettles, ten hatchets, forty pounds lead, ten pounds powder, and forty knives. Another purchase was effected near Stamford, for twelve coats, twelve hoes, twelve hatchets, twelve looking-glasses, twelve knives, two kettles, and four fathoms of white wampum. The Connecticut Indians sold a large tract to Roger Ludlow, for eight fathoms of wampum, six coats, ten hatchets, ten hoes, ten knives, ten scissiors, ten Jews' harps, a fathom of tobacco, three kettles, and ten looking-glasses. The deed being signed by the *totems* or marks of Tomakergo, Tokaneke, Adam, Prosewamenos, and the chief Makaekemo. The Dutch bought a fine piece of country for twenty-seven ells of cloth, six axes, six kettles, eighteen knives, a sword blade, a pair of shears, and some toys.

The old historian of Connecticut, De Forest, adds—"In recording these transactions, a doubt easily crosses the mind whether such purchases, when large tracts of land, which are now valuable, were obtained for considerations which to us would be trifling, can be considered fully in accordance with honesty and justice. It must be remembered, however, that the settlers were themselves what would now be considered poor, and that the land obtained was worth almost nothing to them in their wild state. On the other hand, the act of the Indians was free. They were as highly pleased with the bargain as were the purchasers."

It is right to mention here that Mr. Batman's previous application, as well as that of Mr. Henty's, having been rejected by the Colonial Government from assumed incompetency to grant the favour, it was neither absurd nor unjust to believe that Port Phillip was really beyond the jurisdiction of the Governor of New South Wales, and that the natives were the only parties to consult in equity. We know, also, that at that very time another portion of New Holland, now called

South Australia, was granted to a private company in England, without any reference to the assumed boundary of New South Wales, or any consultation of its Governor.

Let it also be distinctly remembered that those Tasmanian settlers had suffered so frightfully from the aborigines in their own island home, that they thought a treaty in Port Phillip no matter of joke, but one worthy of congratulation. Even those loudest in condemnation of the grasp of so much land, and in ridicule of the easy purchase of such a principality, were quite agreed as to the advantages to be derived from the amicable arrangement made by Mr. Batman. And many were ready to exclaim with the *Hobart Town Courier*, "Happy had it been for Van Diemen's Land if the same step had been taken with the aborigines on its first settlement with the English."

It was but natural that the treaty became a legitimate subject of joking. One writer, subscribing "Wranglewea," informed the editor of the Launceston paper of the return of the adventurer in these terms:—"Sir, I am happy to inform you that the schooner has arrived here from Port Phillip on the opposite side of the straits. Mr. B—— has left Mr. Pigeon, commander of the Sydney blacks, and who acted under Black Robinson in catching the blacks here, in possession of the territory, amounting to two millions of acres which he had purchased from the natives."

But a really clever dialogue was presented to the readers of the island colony at the end of June, by one who saw in the story of the Port Phillip Treaty a favourable opportunity for him to obtain a grant of land, on easy terms, from one of the Tasmanian chiefs. As those sable gentlemen were then being removed for safety to Flinders Island, the would-be-treaty-maker felt himself obliged to conclude his arrangements with the representative of Woureddy, the chief, in the person of a bust of that exile, which had been placed in the Hobart Town Mechanics' Institute. These are the particulars of his interview:—

"Good morning, Mr. Woureddy, I hope I have the honour of seeing your Majesty in poor health."

"The powerful chief gave his reply with an assentary smile.

“‘You are King, I believe, of all the Western part of the island, and held possession from your noble ancestors of those fertile tracts of 600,000 acres, more or less, by Mr. G. A. Robinson and Mr. Surveyor Sharland.’

“A significant nod.

“‘Now that you are going to Flinders Island and Port Phillip with Mr. Robinson, and the rest of your friends and relatives, you can have no objection to sell me your full right and title to this portion of your dominions.’

“A significant nod.

“‘I do not expect you to name your price, as you are not quite perfect in the English language, but I now name it for you. Here is a bucket of Brown’s River potatoes, a rod of tobacco, six pipes, a blanket, a dozen loaves of bread, and a dead kangaroo. Are you content?’

“‘[I thought I could not lose much at this price, though the land, I believe, is not very rich, and rather out of the way—neither did I want to impose upon the King—I mean King Woureddy, and offer him anything less.]

“His Majesty, like Jupiter Olympus, nodded, and the whole of the western country, tiers, plains, rivers, gum-trees, and all fell into my possession; and I thereby give Mr. Robert Knight, Sir John Owen, Mr. Edward Lord, wild cattle, and all others, due notice to decamp, as all trespassers from this time forth will be proceeded against according to law. I then procured the conveyance, duly drawn up in triplicate, on which Woureddy, with proper regal pomp and dignity, shaking a portion of the grease and red ochre out of his pendant locks, impressed it first with the palm of his hand and afterwards with his foot. I then hastily gathered up the parchment, which I took, thus ratified under his sable Majesty’s naked hand and foot, to be registered in Mr. Beaumont’s office.”

But we have, under the guise of history, the details of the affair given in “Mr. Lloyd’s Thirty-three Years in Tasmania and Victoria,” a book of agreeable reading. The writer had picked up a few materials, and thus worked them up into a narrative. He tells us about Woolloomooloo, and the Sydney natives, who, following

the trail in Port Phillip, came suddenly upon a band of fifty warriors. Coming forward to make friends, we are told that "notwithstanding his spirited gesture and vehement jabbering, which he concluded by thrusting a stick into the ground and formally tabooing it, the aboriginal warriors still maintained their warlike attitude. Unfortunately, the language of the sable mediator differed so materially from that of the Port Phillipians that but little progress could be effected by such incomprehensible parlanee. At this ominous stage of the proceedings, however, the old native, who had accompanied the party, stepped forward, and in a few magical sentences, happily produced a more amicable feeling." The story gathers in interest as it proceeds:—"Woolloomooloo earnestly endeavoured to explain the desire of his *mater fader*—as he called the white chief—to purchase large tracts of land. To render his advocacy the more comprehensible, he repeatedly drove sticks into the soil, dug up small pieces of earth, and gave them to his master, bidding Jagajaga to repeat the same forms, which the *intelligent* chief did, accompanying each act with roars of laughter and *yah-yah's*." The continuation of this mythical adventure is so amusing that the reader will readily excuse a further extract:—

"So rapturous a feeling did the magnificent country impart to the white chief, that he was ever exclaiming—'O, heavenly, heavenly sight! What man could wish for brighter scenes than these for his future pilgrimage on earth? Ah me! Benbow, let's have a sip of Cognac Vieux, and we'll drink confusion to our adversaries.'"

"Aye, aye," sir, responded the parched sailor, producing the bottle. "Give the blacks a nobbler, sir?"

"Sdeath! No, man, no. 'Twould be a heinous sin to taint their unadulterated palates with baleful firewater, &c. We'll have a little."

"Meanwhile, Kardinia, third betrothed lubra of Jagajaga, with graceful modesty, stole up to the council fire by the side of her savage lord, and, in so doing, elicited an exclamation from the admiring sailor, Benbow, 'Holloa, shipmate! run up the colours! Here's Miss Wennus de Mediky come into port. Split my topsails, Jim, if I don't conwest her jetty shoulders

with the Order of the Blanket,' &c. 'The document was ordered to be read aloud and explained; to the terms of which the chiefs signified their entire consent by sundry senseless broad grins, pulling down the corner of one eye in a playful mood.'

These are some of Mr. Fawkner's views upon the treaty. "The firm or company that sent Batman over only gave him one deed, a copy of which I obtained before he left Launceston; that deed he did get signed by the Jagajagas, at the Merri Creek, just outside the Fitzroy municipality; but it was not read over to them; it was not interpreted to them or explained, for these reasons; not one of the Sydney blacks knew the language of the men of this colony; not one of the Sydney blacks could read, except Bullett; and he only learnt words of one syllable, and this I offered to prove (whilst Batman was alive) to Governor Sir Richard Bourke; and any man of sense must know that to translate a deed to any one of a different tongue or language requires a real knowledge of both languages, and these Sydney blacks could not read, much less translate writing." He also points out the absurdity of the deed, stating that the land had been marked "before the execution of these presents," &c.

My reply to this is simply that I defend, not the lawyer's office in Hobart Town, but would appeal to the frank story in the journal. Nowhere does Mr. Batman speak of the absurdities of the deed. His narrative is straightforward. The deed had been prepared beforehand. Mr. Batman had to fill up blanks of acres, dates, and description. It is clear that without an absolute translation, or literal rendering, all parties concerned knew something about the transaction. The blacks understood an exchange for some of their hunting grounds. Some rough features of the country were indicated, and the articles for barter told the rest. As to the whites, though several persons informed me that Messrs. Gellibrand, Batman and Co. believed in the efficacy of the legal instrument, we may doubt whether they did not chiefly seek to protect themselves from invaders, act fairly toward a people in recognition of their property in the soil, and with a desire to avoid future collision, but more to place themselves in a

position for recognition with the British Government. We are accustomed among ourselves to smile at the verbiage of a legal document, and the curious and unnecessary conditions expressed therein, and need not, therefore, be too hard upon this.

Mr. Fawkner's objections to the Sydney blacks have not much weight. They were not so ignorant as represented. For nearly ten years they had been with Mr. Batman or Mr. Robinson. In the journal of 1830, now before me, there are frequent references to them. They were faithful friends of our founder, and their services were rewarded by grants of land and official laudation. As to the marking of trees, Mr. Wedge assures me of his conviction that trees were so marked, but on the principle of survey before selection. Mr. Batman distinctly says—"This took place alongside of a beautiful stream of water (Merri Creek,) and from thence my land commences, and where a tree is marked four ways to know the corner boundary."

Not satisfied with the denial of Mr. Batman's statement about his walking so many miles a-day on his first visit here, Mr. Fawkner told his readers in 1853, and repeated the story in his lecture, that Mr. Batman's inability to walk arose from a loathsome disease from which he was then suffering. In his lecture he said, "I know that Mr. Batman was then labouring under the loathsome disease." It is so reported in the *Age* of 1862. But he volunteered, a few weeks ago, before an audience consisting mainly of young females, a more particular account of the disease. Nothing but a sense of justice to the departed would warrant me making even an allusion to so unnecessary and disgusting a disclosure, even if true. But to rebut the cruel slander, and the imputation that the journal was a concoction of falsehoods, it is necessary to argue out this unsatisfactory subject.

Mr. Fawkner seeks to substantiate his assertion of his inability to walk, in May, 1835, by a reference to his condition twelve months after! For he observed that when our Founder and he went to the funeral of poor Mr. Franks (murdered by the natives,) Mr. Batman was then so ill as to walk with some difficulty. Now, had he remarked this infirmity upon Mr. Batman's call

at his hotel in Launceston, after his visit to Port Phillip, we might have had some evidence to consider. It is hardly fair to reason from a man's present lameness that he was a cripple a year before.

The result of inquiry has brought out a host of contradictions to Mr. Fawcner's assertions. I can, if necessary, adduce names of some of our most respectable old colonists as authorities on the other side. It is hardly likely that so splendid a bushman as Mr. Batman would venture upon such an expedition had he not been well. It is quite improbable that those with whom he acted would have urged his visit under such circumstances. It is certainly contradictory to the well-known fact of his rapid travelling through the island after his return, his interviews with prominent citizens in different parts, his second voyage to Port Phillip months after, and his subsequent active exertions in the service of the association.

But to written testimony. A letter I have of Mr. Batman's, dated some time after his return, speaks of rapid journeys. Captain Robson, quoting from his diary, informs us that Mr. Batman, "armed to the teeth," went ashore at Saltwater River, and that the party were away for three days in the bush. He mentions, in another place, that the leader came back for fresh stock for his new journey. Mr. Robertson saw him immediately before and after his first visit, and only remarked his robust health and immense activity. The Hon. J. H. Wedge writes, "I have every reason to believe, from the information I had from his men, that he went a considerable distance inland. I laid his route down from his journal. Mr. Batman's illness was after his visit to Hobart Town to report and consult with Mr. Gellibrand and others with whom he was associated." As to the general correctness of his descriptions, it is sufficient to say that new comers went by them, as they appeared afterwards in print.

But a letter from Mr. ex-Sheriff Sams replies conclusively upon the subject. In another part of that communication, to be found in this work, we have an account of a night ride that gentleman had with Mr. Batman, from Launceston to Ben Lomond, thirty miles along an execrable road, on a dismal night of rain. He then

alludes to the slander: "I, who had occasion to see him so frequently before he left Launceston, on his expedition, and who was the first of those interested in the object of it whom he met on his return, can safely affirm that few men could or did undergo fatigue as poor Batman did. In fact, a better bushman at this time could not be met with. He was in good health when he left Launceston, and on his return, his ride home that night—and such a night—is tolerable proof that he was not an ailing man."

Had Mr. Batman a son or brother to defend his rights, might he not be able to retaliate upon Mr. Fawkner upon the question of an immoral past? Were the times so perilous to one, and so harmless to the other? Can the Tasmanian career of one be exposed while that of the other be invulnerable to attack?

The source of Mr. Lloyd's joke about the bacchanalian celebration of the treaty can be traced to Mr. Fawkner, who may plead that he had the story from the spy he placed near Mr. Batman; for in the lecture he has these words—"Grog was produced, a good quantity imbibed, and Mr. John Batman was proclaimed 'King John the First of Port Phillip, the largest landed proprietor in the world.'" The last sentence is recorded by Mr. Evans as having been a laughing expression of Mr. Batman's in Mr. Fawkner's public-house, and yet it is placed in the mouth of one of his men. Mr. Wedge answers this story—"I never heard of the proclamation. I doubt if Batman had any grog beyond a small quantity in a pocket-pistol. I know I never had any in the journey I made." Surely Mr. Fawkner was not confounding it with the case of his own small party having twenty-five gallons of gin with them!

Mr. Fawkner has, he believes, a point of advantage over the journalist, where he mentions twenty-six miles up the Saltwater River. But our Founder did not row up that distance, but walked along the banks. Our honourable member has this grim joke about his rival telling the natives he would bring over his seven daughters to settle among them: "I suppose he meant to marry his seven daughters to seven chiefs."

Apparently, as we judge now, the critic has a strong case about the dates, which differ in report and journal.

Legal accuracy would require consistency here. But such negligence does not invalidate the authenticity of a story. Captain Robson, in his letter to the *Cornwall Chronicle*, some four years ago, dates his remarks very oddly. I have often been struck with the looseness of chronology even in official records. I have been amused, when looking at old journals of the parties after the Tasmanian blacks, in the war forty years ago, at the singular corrections of days of the week.

In Mr. Batman's journal for 1830, written under difficulties in the bush, and bearing such internal evidence of truthfulness as to make me more trustful of his Port Phillip journal, there are several places in which the days and dates have had to be struck out and unheeded, because of wrong computation. The same heedlessness may be noticed even now in the statements of persons not early habituated to commercial exactitude, nor trained to methodical customs. The reports of our police courts give us abundant illustration of this peculiarity, without the charge of perjury. At any rate, as the editor of the *Yeoman* properly asserts: "Any confusion in dates cannot affect the fact of Mr. Batman having been the first person who came here, and began the permanent settling of the colony of Victoria." With this preamble, I introduce, without date, a reminiscence of Captain Robson about this eventful visit and treaty, as narrated in the *Chronicle* of 1862. The same can be compared with the story given by the ancient mariner to my esteemed friend, the Rev. R. K. Ewing. The reader must remember that allowances are to be made for memory and difficulties of observation. As old George Evans said to me the other day, "You know a fellow can't speak positively to what took place thirty years ago, and he may chance to vary his tale a bit." This is the fate of all traditional narratives. And yet it is upon such that our most reliable histories have to be written. But to Captain Robson's yarn.

"15th. Cleared the Heads, the wind N.W., out 20 miles to westward; bore up for Point Sorell. 16th. Put to sea; wind S.W., steady breeze, but heavy sea from N.W. 18th. Wind variable. 19th. Wind from the northward; made to the eastward. 20th. Brought up under West Hunter Island; landed the Sydney natives,

nine of them altogether, at three p.m.; at seven p.m. brought them; wind chopped round to the S.W.; run out between the islands. 21st. Off Flat Top Point. 22nd. Run into, or entered, Port Phillip; run as far as Indented Head; it fell calm; brought up; saw a native dog on shore; out boat and landed; the dog made for the boat, but as soon as he saw our dogs he set off, ours after him, five in number; Dick White's greyhound hauling him first; he tore the roof of his head right off, and took the water. We shot them both, as the hound would not live. Weighed anchor at five p.m.; started up Geelong; at nine a.m. saw native fires; got as close to them as we could. 23rd. Landed at two p.m., up to our ankles in mud. Got up to the fires about two hours before daylight, but the natives were gone. Sent the black bloodhounds after them; found them about three miles off; brought them back; there were forty-two women and children, not a man amongst them.

"Batman made them handsome presents, and they informed him that the men had gone to war a long long way, pointing in the direction. Batman than started to cross the Barrabool Hills, but was driven back by a most severe hailstorm; made a second attempt and saw the Barwon, but getting late he returned on board, intending to go the following day, but when on board he altered his mind, and he said he thought it would be better to stay and see the natives all together, and as they were at war they would decide the grand point. Then, says he, we will lose no time. Got under weigh and started for the Yarra on the 24th. Brought up as near the bar as possible—the forty-two natives had brackish water carrying in their buckets. On the 25th, landed on the upper side of the Saltwater Creek: Mr. J. Batman, Gumm (not Gun, as Fawkner calls him,) Ned Thompson, two men belonging to the vessel, and nine Sydney natives, fifteen in all, armed to the teeth, and loaded with as much as they could carry. Off they went, us watching them as far as we could see them.

"On the 28th, we heard signal guns at nine p.m.; answered and sent boats on shore. Party returned, but could not find the natives. On the 29th, got under weigh and stood into the bay to see if we could see any

native fires. We did, and took the bearings; then run back and brought up as before.

"On the 30th, we started at daylight from the upper side of Saltwater Creek with a fresh stock, and all in good cheer. On the second day we saw an old man and woman, and three natives; down swag and gave chase, caught them and brought them back to Batman, who made them very handsome presents; in two hours and a-half we saw the natives, 400 or 500 strong. As the latter saw our party they one and all began to set up such an infernal yell and rushed towards the party; however, the old man and old woman set up a different yell, which pacified them, and they all ran back, stuck their spears in small heaps, and then made friends with the party; the party stopped two nights with them, each different party keeping strict watch all night.

"4th August.—Party returned on board after making friends with the natives, and parting with nearly all they had, left them good friends.

"5th August.—Batman and party went up the Yarra and myself. We filled three casks of water, and on going down cut a boat hook staff. Here one of the natives cut a good-sized tree nearly down, and said jokingly 'Dat was Robson's tree,' which made Batman smile. Returned on board and started for Indented Head, or Queenscliff which is now; commenced landing the stores. Got up to the tent, landed several tons of potatoes and flour, pork, beef, &c., and plenty of ammunition, with a written instruction what to do. Batman wrote this instruction while we were landing—to build a sod hut thirty feet long, ten broad, and to roof it with sods, leaving loopholes in different places; they then would be safe. In the meantime to allow the natives each one pound of meat per day, but not to allow them to make any huts nearer than 300 yards away of them, and to keep them at a respectable distance.

"6th.—All being landed, we left the party a new whale boat, complete. We got under weigh past Point Nepean at four p.m., bound for Launceston, after leaving at Indented Head, Ted, Gumm, Thompson, and seven natives.

"8th.—Entered Tamor Heads and arrived at the wharf on the 9th at two a.m.—ROBERT ROBSON."

The reader may wonder why Mr. Fawkner should take such pains to render ridiculous and despicable the man against whom he writes so bitterly. His egotism may be one cause. But he was evidently jealous of the attention paid to his rival by all new comers, especially official ones. He rather absurdly put this forth in the *Diggers' Advocate* above a dozen years ago:—"And yet Mr. Batman got power, not only to hold the land and the house he built (on Batman's Hill) but also a large section on the Yarra Yarra. Reader, butter, and milk, and eggs, and a few fowls, &c. &c., are very acceptable when travelling in an almost uninhabited country, and of these a very copious supply found their way into the large tent of the Governor-in-Chief whilst he sojourned at Port Phillip. The writer of these reminiscences was never given to 'grease the fat pig,' nor fawn to men dressed in a little brief authority, but kept on the even tenor of his way."

Old Robson has a fling at the writer of the above story in the following words:—"You were the founder of Melbourne, as you like to be styled; why, did not Governor Bourke pay you a visit when at Melbourne, and make you a present of four cases of wine, as he did John Batman? Ah, well, you might think it very cool of him, but he did, for I tasted it, and it was excellent. But, Johnny, instead of running down John Batman, you ought to raise a monument to him, and him alone you ought to thank. His perseverance was beyond everything I ever saw. It might well be said he was the real founder of Melbourne, and I don't suppose there is a street named after him. No, it is you, and the likes of you, that wish the honour he earned at the risk of his life may be buried with him in his grave."

Those are rough words, coming from the full heart of the old man, jealous for the memory of his former friend Batman, and indignant at the intrusive supplanter of his fame. But I have still heavier argument to bring.

Mr. Fawkner had, beyond any man, in speech and words, ridiculed the idea of making a treaty with the wretched natives, and especially of using the ignorant Sydney natives for the share of that legal process. He has laughed to scorn the whole affair, and covered the head of Batman with contempt for his part in that

folly. What would our readers say if I show them that Mr. Fawkner, in 1835, not only believed in the advantages of such a treaty, not only respected the abilities of the Sydney blacks, and not only revered the power of John Batman, but actually sought to do the same thing himself, and actually sought help from the very man he condemns, and the very agency he so liberally derides! I have the original letter of Mr. Batman to Mr. Wedge now before me, and will give an extract from the same:—

Writing on the 18th of June, soon after his making this treaty with our aborigines, and when the minds of the colonists were excited by the news, he speaks of a visit he received from Mr. Fawkner, and tells his friend Wedge that—“He intends *to purchase the land from the natives*, and said he did not want a large tract, that he would have some difficulty in treating with them, unless I would *allow him one of my natives*, and if I could not, the only thing he could do after settling there would be *to send to Sydney for some.*”

I forbear making any comment.

DID BATMAN SEE THE YARRA FIRST?

MR. FAWKNER emphatically denies that his rival saw the Yarra and the site of Melbourne on his first visit to Port Phillip, but claims the merit of its discovery, or re-discovery, for his party in August, 1835. Thus we find him in 1853 writing:—“The next day (after going up the Saltwater River) they took water as well as food, and pushed up the Yarra Yarra, having noticed the opening thereto on their return from the Saltwater stream; and after about an hour and a-quarter’s pull, they reached with great joy, the basin at Melbourne.” He states elsewhere that Batman did not get up the river. I heard him myself declare that Batman tried to find a channel up the Yarra but failed. Elsewhere he writes that a Mr. Gibson discovered the river in 1804, and reported the same to Governor Collins, who would take no notice of it. With much force, then, does the editor of the *Yeoman*, in August, 1862, thus retort upon the veteran:—“If, as Mr. Fawkner states, a Mr. Gibson in 1804 discovered and described the Yarra, then he, and not Mr. Fawkner, is entitled to the honour of having done so.”

It is somewhat singular, that while Mr. Fawkner and Mr. George Evans doubt Mr. Batman's visit to the Yarra, that the first-named gentleman should, in 1836, speak thus of the treaty:—"His purchase *follows the river* up the right bank for nine miles from the bay's head," &c. Again, in 1853, he says:—"It appears that Mr. Batman, his party, and the aborigines, travelled some four or five miles up the Yarra Yarra, *which river he did not find.*" In 1862 he gives Mr. Batman credit for a knowledge of the river. When speaking of the treaty, he describes it:—"It set out that the land bought was bounded by the Yarra Yarra from its mouth to three miles above the falls," &c.; "and thence by the waters of Port Phillip Bay to the mouth of the Yarra Yarra."

Many places are known, but not revealed to the public, being, perhaps, regarded as of no importance. It is, therefore, probable that prowling whalers and sealers, who had their settlements upon islands in the Straits, in Western Port, and even on Kangaroo Island, should have seen the Yarra. One Watts, now of Daylesford, asserts his knowledge of the river many years before the settlement. In a letter kindly addressed to me by Mr. Timothy Brown is the following account of the old man:—"I have learned this much further about his first visit to Hobson's Bay. He formed one of two boats' crews that belonged to a whaler, and chased a fish into Port Phillip. The whale was killed, and stranded on or near St. Kilda beach. The seamen then endeavoured to discover fresh water—one of the boats entering the Yarra Yarra, and the other the Saltwater River. The crew of the latter, finding their stream brackish, joined their companions in the Yarra, and after filling their beakers, both parties returned to the whale and cut it in pieces."

John Batman's journal describes the Yarra and Batman's Swamp in the following terms, upon Sunday, 7th June, 1835, some eighteen weeks before Fawkner camped there. Describing a course evidently from Merri Creek to the sandy soil of the University Hill neighbourhood, he writes:—"We then made the river I had gone up a few days before (the Saltwater,) intending to come on the opposite side of the river, and hail the ship. I crossed on the banks of the river a

large marsh (Batman's Swamp,) about one mile and a-half wide, by three or four miles long, of the richest description of soil—not a tree. At the upper end of this marsh is a large lagoon. I should think, from the distance I saw, that it was upwards of a mile across, and full of swans, ducks, geese, &c. After crossing this marsh, we passed through a tea-tree scrub, very high and thick. We expected, on getting through this, to make the vessel in an hour or two; but, to our great surprise, when we got *through the scrub*, we found ourselves on a *much larger river* than the one we went up and had just come down. It was now near sunset, and it would take two days to head the river again. So, after some time, I made up my mind that two of the Sydney natives should swim across the smallest river, and go to the vessel and bring up the boat. Bullet and Bungett swam, and had to go about seven miles, which they did, and were back again with the boat in three hours. I was glad to see them, as we had got on *the point at the junction of the rivers*, where the tide had now risen up to our ankles." On the Monday there is this entry:—"The wind foul this morning for Indented Head. We tried, but could not get out of the river. The boat went up *the large river I have spoken of, which comes from the east*, and I am glad to state, about six miles up found the river all good water and very deep. **THIS WILL BE THE PLACE FOR A VILLAGE.**"

Can we wonder at the editor of the *Yeoman* exclaiming, after reciting the above, "Batman was the true discoverer of the river Yarra Yarra."

The hon. John Helder Wedge, of Tasmania, the first manager here, in 1835, in a letter to me, explains the journey of Batman in these words:—"He afterwards explored up the banks of the Saltwater River, from thence to the eastward to the head of the Moonee Ponds, proceeding north-east from thence till he fell in with the Jigga Jigga tribe of natives, and then returned to the marsh or *swamp near the present site of Melbourne*, and joined his vessel, which had waited for him at, or near to, Williamstown."

Old Captain Robson, who accompanied Mr. Batman as mate of the *Rebecca*, in his letter to the *Launceston*

Chronicle twenty-seven years after the event, tells this tale:—"Batman and party went up the Yarra, and myself. We filled three casks of water, and on going down, cut a boat-hook staff. Here one of the natives cut a good-sized tree nearly down, saying jokingly, 'Dat was Robson's tree,' which made Batman smile." In his subsequent address to Mr. Fawcner, whose lecture of "Reminiscences" in 1862 he was then criticising, the *Old Salt* thus unmistakably, but with no civilised refinement, expresses himself:—"However, Johnny has kept his 'Reminiscences' a long time. I suppose he thinks, because Batman is dead, that all the rest of his party are also for ever silent, and he blows off his vain steam. But, Johnny, you knew well enough when you were giving your lecture, that Batman's party had been up the Yarra, for you could not help seeing a tea-tree chopped newly down, on the left hand side, a long way above Pleasant Hill, as you call it, or Batman's Wharf; for we came up as far as the Falls. A good-sized one, too, it was; not easy to go past it in the dark without seeing it. It was in the same year, so I do not think that a top could grow on it to cause a mistake." In 1866 the old man told the tale in these words to my friend the Rev. R. K. Ewing. "We entered the Yarra, and watered near where Melbourne now is." Captain Robson further says, "The master of the *Enterprise*, Mr. Hunter, had heard from myself the particulars of the Yarra, and about fresh water." He adds further about Batman, "He had waited, after having been, as I have said up the Yarra, at the Indented Head to get the party."

The documentary argument about the Yarra may be closed with the language of Wm. Robertson, Esq., who personally assured me that he had all particulars from Batman within a few days after his return from Hobson's Bay. That gentleman has such a firm reliance upon the known integrity of the explorer that he would be content with the simple testimony of the man. In a note I received from him lately he says, "I did not know till I read it in your letter that any one doubted Batman's having ascended the Yarra from its junction with the Saltwater River, and I feel certain that no one who ever knew him well could for a moment

believe that he stated what was inconsistent with the truth *when he said that he had done so.*"

If, then, Batman was first on the Yarra, thought it a favourable place for a village, spoke of it to many in Tasmania, and arranged for a settlement there, though Mr. George Evans and Captain Lancey were actually on the ground before the Port Phillip Association had its quarters there, yet, as the Batmanites were living there *before* Mr. Fawcner came into the country, it may be certain that Mr. Fawcner was NOT the founder of Melbourne, much less of the colony, and that Batman, indirectly at least, was its real founder. Such at any rate was the belief of the Tasmanian settlers, for we find even a year after, in November, 1836, the Hobart Town *Courier* endorsing the sentiment. Its article is, "We learn that Captain Lonsdale has selected the *original settlement formed by Mr. Batman on the Yarra Yarra as the site of the infant metropolis.*" This, though first called Glenelg, became the town of Melbourne.

THE FIRST SQUATTER IN PORT PHILLIP BAY.

THE first squatter, in the present meaning of that word—that is the first flockmaster—on the Yarra was undoubtedly Mr. John Aitken, after whom the Gap is named.

The notice of his sailing, from the *Launceston Advertiser*, gives the date July 20th, 1835. The vessel was the *Endeavour*, Captain Bellin. The passengers are there given as Messrs. J. Aitken, H. Thompson, Morris, J. B. Harwood, Js. Young, and J. Brawl. Mr. Fawcner asserts that, not knowing how to steer, they were glad to follow the *Enterprise* over to Western Port, and thence to Port Phillip. They landed their sheep—the first flock in Port Phillip Bay—near Arthur's Seat, drove them along the western coast, seeking better feed, until they reached the Yarra. Arriving there, they found Captain Lancey and Mr. Evans already ashore, and received from them assistance to cross the river. Going on with their fleecy charge, they, disregarding Mr. Batman's treaty, and believing themselves—like the

Yarra settlers—entitled to what they could seize, took up land some twenty miles north of Melbourne.

But it is right to bear in mind that, though these enterprising men, Mr. Aitken and the others, were able to rush a small flock across before the association—that bulkier body—could organise their transporting force; yet they owed their information of the country wholly to Mr. Batman, and felt safe to dare the savage from the pacific interview with the blacks held by the pioneer.

While George Evans was looking for a suitable place before bringing his sheep, and while the Batman Association was communicating with Government, and getting an official confirmation of their claim, others—like Mr. Aitken—were seizing the golden opportunity, appropriating the green pastures, and harvesting the spoil of the new country. Like, as Messrs. Henty and Sons had appropriated Portland Bay in 1834, so did many others, after Mr. Batman's visit, seize the lands of Port Phillip in 1835.

DIVISION OF THE SPOIL.

LIKE a rush to a new diggings before the arrival of a gold commissioner, or warden, each new comer to Port Phillip grasped at what he could. Amusing tales are told of men going up to the top of a high hill, looking around, and exclaiming, "All I see I claim!" When, then, another came within the charmed circle he was directed to "go-ahead." The *Cornwall Chronicle* of May 23rd, 1835, then anticipating Mr. Fawkner's party following Mr. Batman, has this judicious piece of advice, "We recommend all leaders of the intending 'new colonists' to choose the sites of their operations as widely away from each other as possible."

The Port Phillip Association made by map rough partition of the land they supposed they had purchased, John Batman appropriating the neighbourhood of Hobson's Bay westward and southward for miles. Mr. Fawkner pursued the same system. His own account, given to the *Diggers' Advocate*, is very interesting:—

"On passing the Duck Ponds, near Shortland Bluff, a whale-boat, manned with some Sydney aborigines and one white man, came off, and asked 'the news—where

from—and where to,’ and told our people that Mr. John Batman, KING of Port Phillip, had bought all the lands and desired ALL TRESPASSERS TO KEEP ALOOF! The blacks were civil enough, and supplied our people with plenty of good choice fish. The *Enterprise* was conducted by Captain Hunter, as master of the vessel, along the southern channel, and the men landed each day to examine the country from five to ten miles inland, the vessel only moving a short distance until they returned on board, and pushing a few miles further by night in order to examine new lands the next day. No eligible spot was found on the east side of Port Phillip Bay. The directions were not to finally settle down, except upon a river or copious supply of fresh water. On Thursday, the 20th, the *Enterprise* came to anchor in Hobson’s Bay, just clear of the bar upon the channel to the Yarra Yarra; and the new colonists, Messrs. R. H. Moor, George Evans, W. Jackson, and Captain Lancey, putting some provender into the five-oared whale-boat brought for the occasion, on Friday, the 21st of August, pushed off with two of the workmen, to explore the inlet. In fact, they all, except Captain Hunter, master of the *Enterprise*, doubted as to that being the debouchment of any stream. But he found it on his chart, and advised their trying to find what he was sure they would—a fresh water river. With three cheers from the crew for success to the adventurers, they pushed off, and after once or twice touching on the mud flats, they found plenty of deep water, and pushed on joyfully and thoughtlessly, passed the junction of the Yarra Yarra without much notice, and went up the direct course, named by them the Salt-water River, because they could not get up it far enough to find the stream fresh, owing to the vast number of fallen trees lying in the water, which so obstructed the navigation, that after much labour they landed, and could not then discover the fresh water, the place that they landed at not allowing them to see the course of the stream. They returned to the vessel exhausted and fretful, having been most of the day without water to drink, they having on all former occasions found plenty of that element on shore. Mind, this was in August, the wet season.

"The next day they took water as well as food, and pushed up the Yarra Yarra, having noticed the opening thereto on their return from the Saltwater stream; and after about an hour and quarter's pull, they reached with great joy the basin at Melbourne, and were delighted, in fact, half wild with exultation, at the beauty of the country. The velvet-like grass carpet, decked with flowers of most lively hues, most liberally spread over the land, the fresh water, the fine lowlands and lovely knolls around the lagoons on the flat or swamps, the flocks, almost innumerable, of teal, ducks, geese, and swans and minor fowls, filled them with joy. They all with one voice agreed that they had arrived at the site of the new settlement, and resolved to have the vessel brought up if possible, the goods, stores, &c., landed, and the commencement of a town forthwith made. They took a stand upon what was subsequently called Batman's Hill, and passed some hours there and thereabout, enjoying the novel and extraordinary view before them. They were so pleased with the country that they made it night before they returned to the vessel, which was lying opposite to Williamstown (that now is) near the bar entrance to the Yarra Yarra River. Captain Hunter having been diligently employed these two days with his crew sounding the way up, it took some time to provide poles and fix them on the various shoals in the stream, now marked by large buoys and strong beacons (but then markless;) and all this accomplished, the vessel was, with much trouble got up to the so-called junction, and the next day a fair wind drove the lucky *Enterprise* up into the basin at Melbourne; the Captain reporting three fathoms all the way up, and in one part of the basin seven and a half-fathoms of water, viz., from the junction up, and into the basin.

"No time was lost, although it was Sunday, in getting the vessel close to the bank, at the very spot now occupied by the old shed of the Customs department, and some timber had to be cut from the overhanging trees to allow the vessel to lie alongside the bank; from a plank the people landed, and the horses, having been nearly six weeks aboard, were hoisted out and landed, very much to their satisfaction; the fine young green

grass and flowering herbage appearing to gratify their palates, and their gambols evincing their delight at being released from ship board, with its unsteady evils and close confinement. There the master and crew of the *Enterprise* joined the adventurers in their undisguised joy at the success, that after several weeks' arduous exertion, seemed likely to reward, aye, well reward, their joint labours.

"The land having been selected close to Mr. Langland's foundry, for the garden, and also to put in a few acres of wheat; on Tuesday the first plough was put into the earth, and on the 8th of September five acres of wheat were sown, partly on and around Mr. Langland's foundry, and a garden commenced between that and the hill known as Batman's Hill, upon which hill our people first pitched their tent on the 30th of August, 1835, and was not removed till J. P. Fawcner came over in October, 1835, when he fixed to dwell nearer the Fall, and put up his house exactly at the rear of the Custom-house."

"The ploughing was performed by horse labour, and the ploughman was George Wise, one of the sons of Mr. Richard Wise of Norfolk Plains, who was engaged to J. P. Fawcner for one year's service, as general farm servant at £25 a year.

"It had been agreed that each person of the six associates should have a plot of land, on which to build and make a garden, and grow corn on, and that if it was found that the Government would not allow the whites to buy and hold land, under title obtained from the aborigines, it was thought no reasonable British Government would refuse to the first *bona fide* settlers a plot of land on which they might grow food for themselves and dependants. This expectation, as the reader will find, was one very wide of the mark when Sir Richard Bourke took possession of our discovery, made at the risk of life, and at a cost of money few people are aware of.

"The small lots agreed upon were measured off, simply ten acres for each of the six. Contrast this with the squatting fraternity, pushed over under the auspices of Lieutenant-Governor Arthur, in which his nephew, if not himself, had one share, and many of his officers

also shared amongst them the fine fertile fields of Australia Felix. The writer cannot but own that he loves that name or title far more than the common hackneyed one of "Victoria." The lands having been roughly measured off, lots were drawn, and on the lands which fell to J. P. Fawkner's share, the ground was ploughed and sown with wheat and a garden dug, plants put in, seeds sown, and the fruit trees planted in the soil."

In his lecture, he refers again to their agreement, that each of the six partners was to have ten acres, one-sixth of sixty acres to be selected. "We had agreed to plot out sixty acres amongst the six adventurers, and to subdivide these into six lots, at ten acres each, and each one was to draw lots for his ten-acre plot." I need hardly say that Mr. George Evans knows nothing of this. In the first place, of the six he knew not one who wanted the land for cultivation except Mr. Fawkner, who sent over two men to put in some seeds wherever the party might choose to settle. Mr. Evans says of the four who came across, Captain Lancey took no land, as he intended to go trading between Port Phillip and Launceston; Mr. Jackson had no intention of doing so; Mr. Marr went back at once, and he himself put up a hut for shelter only till he could get or send for his sheep from the island.

HOW TO TREAT A SQUATTER.

Mr. FAWKNER, and also his old companion Mr. Evans, have alluded to threats of violence toward the early Yarra party. They more than hint to a pressure being brought against them by the Batmanites, amounting to an expulsion or extermination, through the agency of the blacks. As usual, whatever was imagined of the Association was attached to the name of Batman; and the honour of that gentleman being involved in the accusation, I am able, by documentary evidence of the highest character, to clear our founder from that charge.

In the language of the times, Messrs. Evans, Lancey, and subsequently J. T. Fawkner, were *squatters*. That term is somewhat singular as applied to the latter,

who asserts that *he* founded the colony to prevent its getting into the hands of the squatters. The term was then applied to all who placed themselves upon public lands without license. Squatting, then, within the limits of the territory claimed by the Association, the Launceston party were requested to cross the Yarra, the other side of which had not been purchased by Mr. Batman. Believing themselves proprietors, the members of the Port Phillip Association did not admire the way in which the others surveyed, fenced in, and cultivated paddocks on the north side of the river. Evidently brought to see the force of argument for a while, the new comers did cross the Yarra, though subsequently returning.

But the great controversy about ejection began before Mr. Fawcner himself left Launceston, and as soon as others besides those of Launceston contemplated intrusion upon the rights of the Wilds. As early as September 17th, one month before Mr. Fawcner arrived at the site of the present Melbourne, I find that letters had arrived from Dutigalla, the new settlement, giving notice of the arrival of Mr. Evans and Captain Lancey, and thus influencing the decision of some members of Batman's Association; for on the 17th of September, one of the Association writes to another at a distance upon the subject of squatterdom. From the lips of this worthy gentleman, now gone to a better world, I learnt much of our early history. From this letter it would appear some rough action was contemplated. Without giving names of persons, though Mr. Batman is not mentioned, I extract the following:—

"We have heard of Thompson's and Fawcner's parties, and we had a meeting on the subject. ——— and ——— were for hostile measures, at once setting on the blacks to eat them out, or drive them out even. I at once held up my voice against such imprudence, and was supported to the echo by ———, ——— and the ———. We in the course of the day saw young Thompson, who assured us that there was no truth in the report of Fawcner's people having squatted. We then considered everything set at rest; just then comes your letter to me, confirming the fact of an encroachment, and your sentiments so fully in accordance with

the majority. I have forwarded your letter to ———, expressing my conviction of the absolute necessity to obtain the sentiments of the proprietors, but I have heard of nothing being done yet. Only think, in the face of the letters and declarations made to the Home Government, for any sensible man, (let alone *professors* of brotherly love for blackfellows,) to attempt such a line of conduct as that proposed!! Your prediction would, as a matter of course, have been fully realised, and bloodshed and murder ushered in the dawn."

The gentleman to whom the letter was addressed may be seen to be Mr. Wedge. That gentleman afterwards heard some terrible news of war being declared against the poor squatters. The *friendly* interposition of some parties gave the threat a Batmanite direction. This led to a correspondence between Mr. Wedge and Mr. Batman. On the 13th of October, the former writes thus from Launceston:—

"DEAR BATMAN,—I have remained in town in the hope of seeing you this morning. I have just learnt that there is no probability of your being here till the afternoon. As it is inconvenient for me to wait longer, I think it only fair towards you to state candidly the course I shall adopt. The line of proceeding that you have chalked out in reference to the occupation, by Messrs. Fawkner and Co., of a portion of the land ceded to us by the native chiefs, is so contrary to my ideas on the subject that I shall protest against it, a copy of which I enclose. However, to obviate the consequences likely to result from the difference of opinions, and the dictatorial attitude assumed by some of the parties, which I never could submit to, I will offer my share for sale to the proprietors generally, or to any of them individually, who may choose to purchase it." He, however, submits another proposition—that a division of the land be made, giving Batman the first choice. Mr. Wedge enclosed the following protest to the members of the Association:—

"GENTLEMEN,—Having learnt from Mr. Batman since my return from New Holland that he is on the point of proceeding to Port Phillip, with the intention of carrying into effect the recommendation of ———, namely, to remove Mr. Fawkner and those connected with him,

through the instrumentality of the natives, notwithstanding such a line of proceeding will be contrary to the general voice of the gentlemen who were present at the meeting when — made the proposition. I, therefore, take the earliest opportunity of communicating my dissent from taking such steps. To follow it, will lead to the most disastrous results, not only militating against the probability of the success of the enterprise, which at the present moment assumes so promising an aspect, but it will assuredly lead to bloodshed and murder, which, if once commenced, there is no foreseeing its termination. It will at once open the eyes of the natives, and teach them the power they possess; and, knowing that power, they will not fail to use it against us in common with others whenever the impulse of their feelings may prompt them to do so. Suspicion will be infused into the minds of the natives as to the friendly intentions of the whites in general towards them, which will counteract the happy results that have been the consequences up to the present moment of the friendly intercourse which was fortunately effected by Mr. Batman in June last. For the foregoing reasons I solemnly protest against the measures about to be carried into effect."

This noble protest exhibits the character of the man, and is worthy to be placed in the archives of our colonial history. It was written a week *before* the arrival of Mr. Fawcner at the new settlement.

Mr. Batman answers the letter on the same day. It is so candid and characteristic an epistle, that I copy the whole from the original letter now before me:—

"Launceston, 13th October, 1835.

"DEAR WEDGE,—I received your letter, on my arrival here, which did not a little *astonish* me, particularly your protest. In the first place you are in error in stating that — and — recommended me to remove *Fawcner* by *force*. They have never *hinted* such a thing to me; in short, I received a letter to-night from —, requesting to know how I intended to act towards the *squatters*, and that a great deal would depend as to our success in the treatment of them. I have never heard of a meeting of the *gents* in Hobart Town, and — proposing that I should use force. Your protest

is the first I have heard of it. I do not, neither did I, intend to use violence to remove *Fawkner*, as I am convinced there are many ways to get rid of him without that. I should think a long time before I would cause the natives to use *anything like violence* towards any *whites*, as I fully agree with you as to the consequences that might occur hereafter towards ourselves. I have not the least doubt but that *Fawkner* will see the necessity of crossing the *River*, as we shall overrun the land at once with stock. I am half inclined to think that you have heard some strange tales since your arrival. I am sorry to think you should wish to leave us. If I can, I will ride out and see you before I leave. But write me.

"Yours faithfully,

"JOHN BATMAN."

He then returns to the matter in a couple of postscripts:—

"I cannot help thinking, and reading your *Protest*, you are surely wrong in everything. Surely, I would not do anything to thwart our prosperity with the Government."

"J. B."

"You must have mistaken the thing altogether. I will see you, *if possible, before I leave.*"

It was after this memorable correspondence that a meeting of the Port Phillip Association took place in Hobart Town, and instructions affecting the treatment of the natives, and of the course to be adopted towards the invading squatters, were delivered to Mr. John Batman. That furnished to him about the latter subject I present to the reader:—

MEMORANDUM FOR MR. BATMAN.

"It will be expedient to show Mr. *Fawkner* the chart, and also the description in the grant from the natives to him, in order to satisfy him that the land occupied by his people belongs to the Association; to offer him every assistance through the natives in procuring other land for him, and also in removing his goods, &c.; and also in the erection of other buildings, and in cultivating even to a larger extent than done by them, to protect their present crops, gardens, &c.

"If the parties set us at defiance, it will then be

expedient to fence them off, so that they may not further trespass, and by annoying them in that manner compel them to leave, but on no occasion to offer them actual violence unless in self-defence.

"It is presumed that when Mr. Batman arrives with such a powerful force the parties will retire. They are as much interested in conciliating the natives as we are, and it will be desirable to have a mutual understanding for them to pay a proportion of tribute, and also to enter into an engagement for mutual protection."

This document is dated October 23rd, and is signed by Mr. Gellibrand, on behalf of Messrs. Swanston, Wedge, Sams, Cotterell, Connelly, and himself.

But the squatters proved too formidable for the Association. Even Mr. Fawcner could not hold his own. For a time he claimed his few acres on the Yarra; but an inroad of new-comers no more respected Mr. Fawcner's self-asserted proprietorship in the soil than he had the treaty-bought lands of the Association.

THE FOUNDING OF MELBOURNE.

In his celebrated lecture Mr. Fawcner thus emphatically speaks:—" *The City of Melbourne I founded.*"

We have then in this expressive sentence the quiet assumption of all the credit of every one connected with the establishment of the colony. Not only is Mr. Batman put out of court, but the "Historical Six,"—the Launceston Association, partners "at their own cost," are also ignored. Hence have arisen the just and indignant remonstrances of colonists earlier in the field than himself. And well might the *Cornwall Chronicle* complain of his having "too highly coloured his own performances, and forgot to award the meed of praise to those who were the real pioneers of the Melbourne wilderness—those who paved the way and made the path easy for him and those who were with him."

The story of the Yarra being seen by Mr. Batman, has been elsewhere told. Let us now see what Mr. Fawcner had to do with the Foundation of Melbourne. Can it be that an historical myth has arisen in relation to our colony, and that within the period of so many living around us? If so, we can more readily understand

traditional lore, and the ease with which fables have grown into acknowledged truths. Again and again has the historian pointed out remarkable statements, fully credited by the inhabitants of a place, in connection with their own individual neighbourhood, and relating to a time within fifty years of the day, which were proved afterwards to be utterly baseless in fact. In a country without written records this could be imagined; and in one with few or insignificant ones, such a social condition may be possible.

When Mr. Fawkner publicly called himself "The Founder of Melbourne," we may be sure that he believed it true in a certain sense. Ten years ago, with less information than I now possess, I was willing to allow that phrase in my work on "The Discovery and Settlement of Port Phillip." Let the question be re-opened.

He who causes an act to be performed by his avowed agents or creatures is esteemed the author of the same, and receives the honour or shame accordingly. The instigator of a murder, and the indirect promoters of a worthy deed, are thus together judged. Queen Dido was the founder of Carthage directly, as she led the party. William Penn founded Pennsylvania, in signing the treaty, paying the Indians, and introducing the immigrants. Mr. Angas indirectly founded the colony of South Australia, when he advanced to the South Australian company the twenty thousand pounds demanded by the English Government as an earnest of their intentions, but he did not proceed to Adelaide till many years after. Captain Flinders indirectly caused the first settlement of Port Phillip, and the real establishment of Van Diemen's Land, by his reports of the bay and of the Derwent. In some minor sense, then, only could Mr. Fawkner regard himself as the founder of Melbourne.

Mr. Henty and his sons were more directly the founders of Portland than any can be called the founder of Melbourne. Mr. Fawkner had certainly the most to do with the *Enterprise* party, and was unmistakably the leading spirit of the *soi-disant* partnership; though, as the company came to the Yarra without his knowledge, he could only in a very indirect manner be styled the founder of Melbourne. Mr. Evans, who ordered

the party from Western Port, and who built the first hut on the site of the present capital, may be more correctly than the other termed the founder. But had not Batman been before, and sounded the praises of the country, calling forth flocks of men as well as sheep, and so exciting the interest of the place as to get a large population, the Yarra banks might have had the feeble Launceston party, and never reached the importance of the whaling settlement of Portland Bay, or the cattle haunt of Twofold Bay. It was John Batman's report that, according to the Rev. Dr. Lang, turned the heads of half the colony of Van Diemen's Land. It almost immediately lowered the price of land throughout the island nearly fifty per cent. for the general desire it induced to be off to the El Dorado. It was this that poured men and wealth into Melbourne. Not a word has Dr. Lang, the historian of Port Phillip, to say of Mr. Fawcner's part in the matter, and not a word is devoted to him by Mr. Flannigan, the historian of New South Wales. "The Hobart Town Almanack" for 1836, in its account of the settlement, never alludes to him. The Rev. J. T. Wood's exploration admits that "the next settlement (after Mr. Batman's) of Port Phillip, was by Mr. Fawcner." The old authorities, like the old colonists, make Batman the virtual founder of Melbourne. Even Mr. Melville, in his *Australasian*, though mixing so intimately with the parties of the period, in awarding the praise of settlement to Mr. Batman, is perfectly silent about the labours of Mr. Fawcner. Mr. Westgarth, in his early work, gives Mr. Fawcner's account as he obtained it directly from him, but is more reticent afterwards. Judge Thierry, in his "Reminiscences of New South Wales," can talk of Batman, but knows nothing of his rival. Mr. Haydon, who wrote in 1846, is equally ignorant of his claims. The Launceston papers of 1835 spoke of the Launceston party as the "second settlement" after Mr. Batman's. Mr. Batman had remarked its suitability for a village five months before Mr. Fawcner came; and although some of the Launceston people were seated first by the Yarra, some of the Batmanite Association were also established there before the arrival of the reputed founder. In fact, Mr. Howitt,

in his "History of Australian Exploration," thus introduces that well-known person as "one John Fawkner, squatting near Mr. Batman's hut." Old Captain Robson says, they were "intending to make the settlement where Melbourne now is as soon as Batman could get more persons there." Anyhow, the original inhabitants of Melbourne were Messrs. Lancey, Evans, and Jackson.

There is one striking indirect evidence of Mr. Batman's intentions about a "village" on the site of Melbourne, in addition to his own general remark, and the strong assertions of Captain Robson. This proof of intention is contained in a letter written for the *Cornwall Chronicle* of June 13, 1835, five months before Mr. Fawkner saw the heads of Port Phillip. Though evidently a sort of *jeu d'esprit*, it bears singularly upon our subject. After joking about the Sydney native, Pigeon, being in charge of the land, the writer adds—"The site of a township has been marked off, to be called Batmania, at the Head of Port Phillip, well supplied with a running stream of fresh water."

What can this mean? It refers to Hobson's Bay, the head of Port Phillip Bay, and to the River Yarra Yarra. Whence came the rumour of a township there? Why, from John Batman himself, who, though not a great writer, had spoken of its suitability for a village in his journal, and without doubt, as I hear from others, had fully expressed his intention of forming a settlement there. Mr. Batman is then the real indirect FOUNDER OF MELBOURNE.

MR. FAWKNER ON THE PRIVATE CHARACTER OF HIS COTEMPORARIES.

SLANDER is so grateful to the palate of humanity that it is uttered more often, let us hope, from the desire of pleasing, or the excitation of the marvellous, than for the injury of others' fame, or the gratification of spleen and revenge. When attending Mr. Fawkner's lectures, I saw the giggling at his broad allusions to the moral weaknesses of his cotemporaries, and tried to believe that he was only indulging his love of the ridiculous. The more fastidious might regret that mere lads and

lasses should be favoured with the spicy tales of governors and chaplains appropriating to themselves the wives of others; nor would old colonists rejoice to hear the private character of John Batman held up to public contempt. And if, too, the intemperance of the Batmans is to be held forth for public condemnation, should it be done by Mr. Fawkner, who sold them the liquor, and whose primitive public-house absorbed their gains and demoralised their characters? Mr. Fawkner by no means enshrouds himself in snowy robes while defiling the garments of others. His unfortunate propensity to record the past deformities of his rivals provokes his foes to retaliate upon himself. That none has done so in public for so many years, is a noble evidence of forbearance and the exercise of wholesome virtue. Many are still alive who know Mr. Fawkner's early career in Van Diemen's Land. The historian, who is obliged occasionally to fish in dirty water, and who in the pursuit of information is led into strange company, to hear strange things, becomes acquainted with many facts of personal adventure which he blushes to record.

Mr. Fawkner, who owes so much to the energy and intrepidity of Mr. Batman, should be the last to scandalise him. At least he is not the man who should envy another, especially the dead, some meed of praise for labours done. He lives in luxurious ease. He enjoys a large share of popular applause. He holds a distinguished position in the councils of his country. He has his good things. His compeer, the dashing Batman, has lain in his grave, at the Old Cemetery, for seven-and-twenty years. His property, accumulated by industry in the midst of perils, has passed, through a defective will, into the hands of strangers. His only son, a tender boy, perished in the Yarra. His last surviving daughter in Victoria, died two years ago. His grandsons, excellent lads, are struggling into life. His name, which after the departure of wealth and children, might have been respected in the land he founded, has either been unheeded and forgotten, or held up to reproach and shame by his rival.

This surely appeals to our sympathy as men, to our hearts as Christians. We deny not praise to Mr. Fawkner. We credit him with persevering energy,

indomitable will, and zeal for public service. We thank him for aiding the pulpit and the press. We respect him for sacrifice of time and money in the spread of literature, and the support of learning. We honour him for self-elevation and self-instruction. We delight to exhibit him as a rare example of sobriety, intelligence, and usefulness, rising from the dark depths of social corruption. But we do feel pained at his uncharitable bitterness towards the dead, and are shocked at that unforgiving and malignant hate in one approaching fourscore years. Surely the dark days of his rival, and his rival's race, might have satisfied his ire and stayed revenge.

CONCLUSION.

THE purpose for which this work was written was to vindicate the character of John Batman, and to present his claims upon our gratitude.

That he was the real founder of the colony may have been seen from the following considerations: He sought a settlement in 1827; he organised the first public association for its settlement; he explored the country to make known its capabilities; he first made public the news of the fine land; he acknowledged the rights of the natives, to secure a firm footing for settlers; he brought the country under official notice; his published reports were the immediate cause of the rush of colonists to these shores.

Where is the public recognition of his services? Where is the monument erected to his honour? Alas! the land he loved so well has known him not. The people, so enriched by his enterprise, so blessed by his toil, have no thought of his fame, no reward for his work. His neglected grave is but a type of his unremembered days. Even Batman's Hill, the memorial of his ancient encampment, has been levelled; and the sheoaks upon that grassy mound no longer sigh in the breeze a dirge for the hero of exploration.

A little poem written many years ago, though I know not by whom, rudely but affectingly gives a

MONODY ON BATMAN'S HILL.

There is a solemn music in the breeze,
So sadly sighing over Batman's Hill;
There is a desolate language from the trees
Upon its mount where plaintive murmurs thrill.

Have ye not heard? Up, then, and haste ye there,
It is no visionary music reigns;
It is a long low sound of deep despair,
A spirit's solemn, melancholy strains.

Hark! They have ceased, and through the tendrils green,
A hollow, mourning voice the sound prolongs;
'Tis Batman's spirit hovering o'er the scene,
Weeps o'er his own and o'er his children's wrongs.

"Land once my own," the grieving spirit cries,
"Purchased by right, and not by deeds of blood;
Not wrung by widows' tears, nor orphans' cries
Not washed by hands in native gore untied.

"Say, when I stood upon thy beauteous shore,
All, all the rightful owners stood around,
When each dark-featured chief in freedom swore,
His spoils my gifts, and these my spots of ground,—

"Were they not mine? Could any grasping power
Seize on my right, the rich gift tear away,
Who never knew of it until the hour
When first I showed their laggard steps the way?

"Talk not of Ferdinand, nor of the tyrant Spain,
And mocking, seem to pity the hard fate
Which made the great Columbus wear a chain,
As if your spirits were not more ingrate!

"Where are the herds that on this hillock grazed?
Where are the numerous flocks I left behind?
Where are the houses which my efforts raised?
Where are my fortunes? Scattered to the wind;

"Where are my children, whose blue laughing eyes
So lightly danced in yonder whitened hall?
Do I not hear their lonely, friendless sighs?
Do I not see their tears unheeded fall?

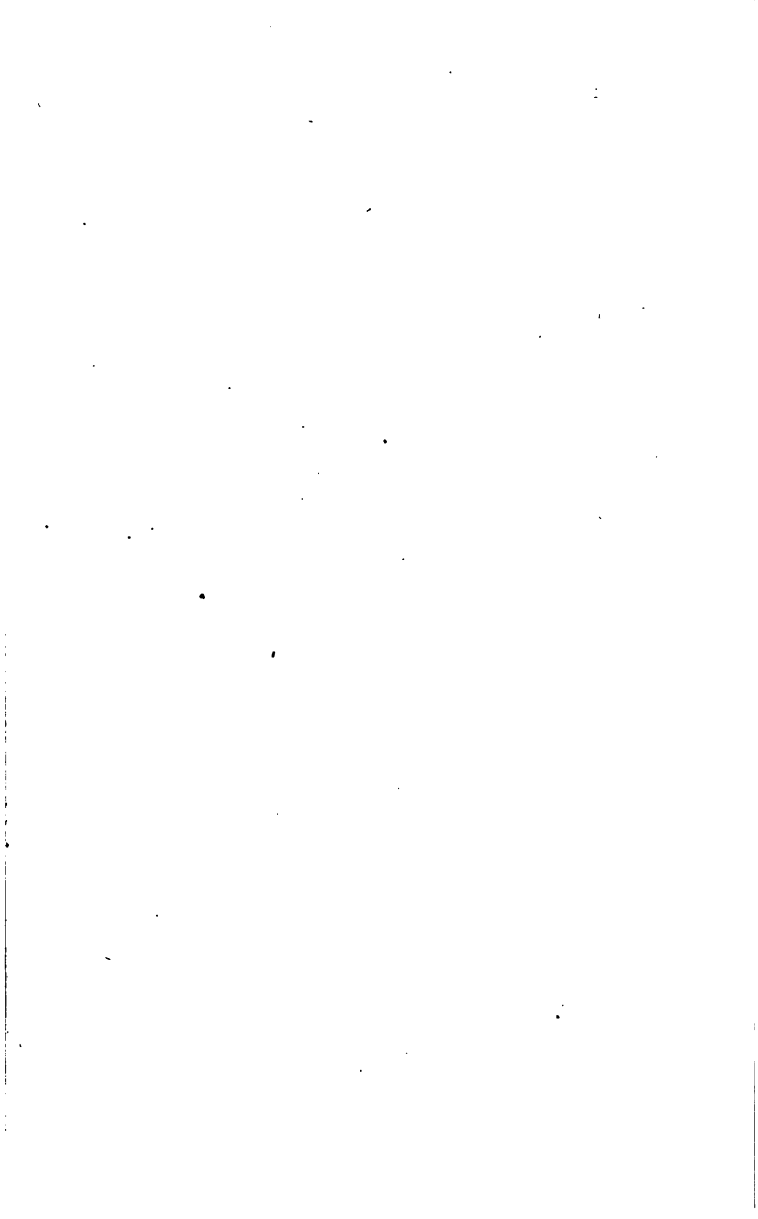
"Australia Felix! if thou think'st that name
Shall nothing be but a fool's scorn to thee,
Wash from thy hands this lasting, burning shame,
And give my children what they took from me."

Will the colonists of Victoria, generous above all nations, refuse to do something to perpetuate the memory

of Batman? Will they, at least, decline to feel a sympathy for his two remaining grandsons, still with us? Their mother, the favourite daughter of John Batman, has gone to her rest. More than once has she told me, when in her dying state, that her hope in death would be that something would be done for her boys in justice to Batman.

Without complaining that a lady who introduced immigrants had been rewarded with thousands of public money, and that distant friends of deceased explorers were so liberally favoured, it must be regretted that the descendants of the founder of the colony have been utterly forgotten, and that no stone of honour marks his grave.

The profits of this publication, devoted to the lads, can be but small; but surely old colonists will not, after this tale of the past, be slow to remember those who bear the blood of Batman.



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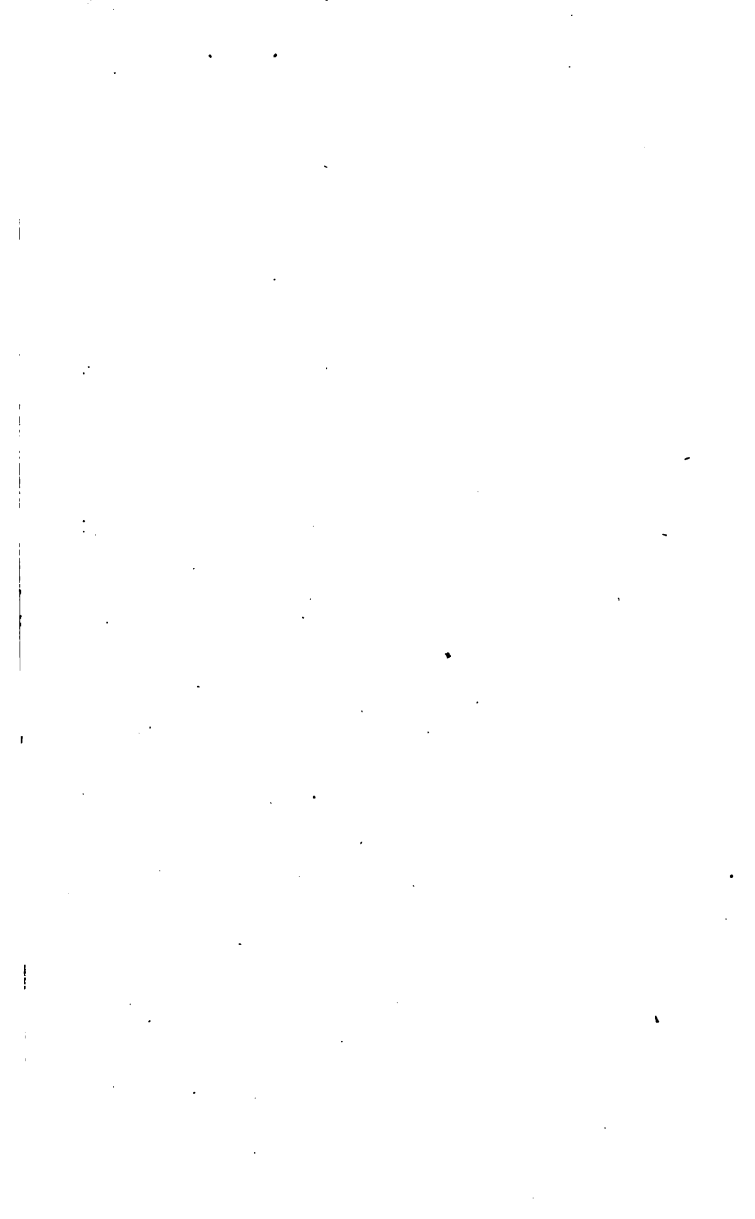
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